

Message

From: Schwarz, Matthew [Schwarz.Matthew@epa.gov]
Sent: 5/5/2016 3:19:43 PM
To: Stoy, Alyse [Stoy.Alyse@epa.gov]; Miller, Kevin [Miller.Kevin@epa.gov]; Nguyen, Quoc [Nguyen.Quoc@epa.gov]; Kelly, Lynn [Kelly.Lynn@epa.gov]; Hammitt, Jennifer [Hammitt.Jennifer@epa.gov]; Albright, Scott [Albright.Scott@epa.gov]; Margolis, Alan [Margolis.Alan@epa.gov]; Engelman, Alexa [ENGELMAN.ALEXA@EPA.GOV]; Holmes, Belinda [Holmes.Belinda@epa.gov]; Dreyfus, Bethany [Dreyfus.Bethany@epa.gov]; Hartman, Bob [Hartman.Bob@epa.gov]; Nadolski, Cynthia [Nadolski.Cynthia@epa.gov]; Stallworth, Deirdre [Stallworth.Deirdre@epa.gov]; Salisbury, Demetra [Salisbury.Demetra@epa.gov]; Harris, Denise [Harris.Denise@epa.gov]; Harris, Donald [Harris.Donald@epa.gov]; Rouch, Ellen [Rouch.Ellen@epa.gov]; Metcalf, Jill [Metcalf.Jill@epa.gov]; Glowacki, Joanna [glowacki.joanna@epa.gov]; Borromeo, Karina [Borromeo.Karina@epa.gov]; Myers, Lucretia [MYERS.LUCRETIA@EPA.GOV]; Kavouras, Maria [Kavouras.Maria@epa.gov]; Boydston, Michael [Boydston.Michael@epa.gov]; Gleason, Michael [Gleason.Michael@epa.gov]; Cohen, Mitchell [cohen.mitchell@epa.gov]; Wood, Nicole [wood.nicole@epa.gov]; Witthoeft, Paul [witthoeft.paul@epa.gov]; Allen, Robin [Allen.Robin@epa.gov]; Leon, Sandra [Leon.Sandra@epa.gov]; Laumann, Sara [Laumann.Sara@epa.gov]; Wells, Sharon [Wells.Sharon@epa.gov]; Capel, Susan [Capel.Susan@epa.gov]; Donaldson, Yerusha [donaldson.yerusha@epa.gov]; Busterud, Gretchen [Busterud.Gretchen@epa.gov]; Herrema, Jeffrey [Herrema.Jeffrey@epa.gov]; Moran, Gloria [Moran.Gloria-Small@epa.gov]; Smith, Kevin B. [Smith.Kevin@epa.gov]; Albano, Emily [Albano.Emily@epa.gov]; Matthews, Julie [Matthews.Juliane@epa.gov]; Prout, Susan [prout.susan@epa.gov]; Clark, Jacqueline [clark.jacqueline@epa.gov]; Ford, Mark [Ford.Mark@epa.gov]; Powell-Dickson, Antoinette [Powell-Dickson.Antoinette@epa.gov]; MacDonald, Jennifer [Macdonald.Jennifer@epa.gov]; Jones, Gary [Jones.Gary@epa.gov]; Lieben, Ivan [Lieben.Ivan@epa.gov]; Bunnell, Julia [Bunnell.Julia@epa.gov]; Walker, Denise [Walker.Denise@epa.gov]; Dolph, Becky [Dolph.Becky@epa.gov]; Connery, Shannon [Connery.Shannon@epa.gov]; Bermes, Peter [Bermes.Peter@epa.gov]; Kaminer, Joan [Kaminer.Joan@epa.gov]; Stilp, Mark [Stilp.Mark@epa.gov]; Knapp, Michael [Knapp.Michael@epa.gov]; Mackay, Cheryl [Mackay.Cheryl@epa.gov]; Campbell, Rich [Campbell.Rich@epa.gov]; Palmer, Angela [Palmer.Angela@epa.gov]; Palmer, Leif [Palmer.Leif@epa.gov]
Subject: FW: New Decisions 1191
Attachments: New Decisions 1191 Received Week Ending April 23, 2016.docx

Attached please find four new FOIA decisions for your Mother's Day Weekend reading pleasure.

Best,
Matt

From: Fiorillo, Andrew (OIP) [mailto:Andrew.Fiorillo@usdoj.gov]
Sent: Thursday, May 05, 2016 11:15 AM
To: Fiorillo, Andrew (OIP) <Andrew.Fiorillo@usdoj.gov>
Subject: New Decisions 1191

Good Morning,

Attached, please find the case summaries for the week ending April 23, 2016.

Thank you.

Andrew Fiorillo
Attorney Advisor
Office of Information Policy
Department of Justice
(202) 598-5074

New Decisions Received Week Ending April 23, 2016 (Decision 1191)

Circuit Courts

1. Am. Civil Liberties Union v. DOJ, No. 15-5217, 2016 U.S. App. LEXIS 7308 (D.C. Cir. Apr. 21, 2016) (per curiam)

Re: Request for records concerning government's use of drones

Disposition: Affirming district court's grant of appellee's motion for summary judgment

- **Exemption 1:** The Court of Appeals for the District of Columbia Circuit holds that "the agency has satisfied its burden to show that the records are properly classified under Executive Order 13,526, and that they are, therefore, properly withheld under FOIA Exemption 1." "The classified affidavit amply demonstrates that the information withheld 'pertains to' 'intelligence activities . . . [,] sources or methods' and/or 'foreign relations or foreign activities of the United States,' . . . and that its disclosure could reasonably be expected to damage national security." "The agency's explanations as to why the records are classified are both 'logical' and 'plausible,' and uncontroverted by evidence in the record." "The CIA's affidavit also adequately demonstrates that there are no 'reasonably segregable portion[s]' of the documents that could be disclosed."
- **Waiver:** The Court of Appeals for the District of Columbia Circuit holds that "[appellant] has failed to point to any officially acknowledged information that appears to duplicate or match that being withheld." Additionally, the court "decline[s] [appellant's] post-oral argument invitation to remand the case for further consideration in light of the government's recent announcement that 'in the coming weeks, the Administration will publicly release an assessment of combatant and non-combatant casualties resulting from strikes taken outside areas of active hostilities since 2009,' and that '[g]oing forward, these figures will be provided annually.'" The court finds that, "[a]s an initial matter, [it] cannot know at this juncture whether the government will actually disclose this information or how that information will be presented." "It is, therefore, not yet possible to determine whether the information the government plans to release will duplicate that being withheld[.]" "More importantly, however, the question in FOIA cases is typically whether an agency improperly withheld documents at the time that it processed a FOIA request."
- **Litigation Considerations, In Camera Inspection:** The Court of Appeals for the District of Columbia Circuit holds that "[t]he district court was . . . well within its discretion to decline to review the documents in camera" and "[the court] find[s] it unnecessary to review the documents to determine whether the information has been properly withheld."

2. Chelmowski v. FCC, No. 15-1425, 2016 U.S. App. LEXIS 7000 (D.C. Cir. Apr. 18, 2016) (per curiam)

Re: Motion for production of documents and the motion for a Vaughn index concerning certain FCC orders

Disposition: Granting defendant's motion to dismiss

- **Litigation Considerations, Jurisdiction:** The Court of Appeals for the District of Columbia holds that "the motion for production of documents and the motion for a Vaughn index [are] denied." "Jurisdiction to review an agency's final administrative decision regarding a FOIA request lies in the district court in the first instance."

District Courts

1. Behrens v. United States Attorney, No. 14-0838, 2016 WL 1626827 (D.D.C. Apr. 22, 2016) (Mehta, J.)

Re: Request for records concerning plaintiff's criminal case, specifically an order authorizing plaintiff's prosecution

Disposition: Denying defendant's supplemental motion for summary judgment

- **Procedural Requirements, Searching for Responsive Records:** "The court finds that Defendant's response to Plaintiff's FOIA request falls short for two reasons." "First, Defendant failed 'to construe [Plaintiff's] FOIA request liberally.'" "Second, Defendant failed to search the records in its possession where 'responsive records are likely to be located.'" "Maybe [an] order [authorizing plaintiff's prosecution] exists; maybe it doesn't." "But Defendant did not search all likely locations for such a record." "Most notably, it did not search the criminal case file involving the charges for which Plaintiff was convicted." "By failing to search that case file, which it admittedly possesses, Defendant failed to carry out its obligation to search those records 'that are likely to turn up the information requested.'"

2. Vaughan v. Ky. Army Nat'l Guard, No. 15-6, 2016 WL 1633048 (E.D. Ky. Apr. 21, 2016) (Van Tatenhove, J.)

Re: Plaintiff's allegations of improper use of document in disciplinary proceeding

Disposition: Granting defendant's motion to dismiss

- **Litigation Considerations, Mootness and Other Grounds for Dismissal:** The court holds that "[d]efendants' motion to dismiss on the basis of res judicata is . . . properly granted." The court finds that "[plaintiff's previous FOIA] cases were finally decided on the merits by the Court and involved the same parties as [plaintiff's] instant lawsuit."

"Moreover, the issues raised in [plaintiff's] latest case were—or should have been—previously litigated in the prior lawsuits."

3. Schotz v. DOJ, No. 14-1212, 2016 WL 1588491 (D.D.C. Apr. 20, 2016) (Howell, J.)

Re: Request for records concerning doctor, records concerning restitution, records concerning transfer, records concerning telephone conference, records concerning plaintiff, and certain medical records

Disposition: Granting defendants' motion for summary judgment; denying plaintiff's motion for summary judgment

- **Exemption 7(C):** "[T]he Court finds that BOP has properly justified [the] minimal redactions [of "the [direct] office telephone number, and cellular telephone number, for [a] BOP attorney"] under FOIA exemption 7(C)."
- **Litigation Considerations, Adequacy of Search:** "The Court finds that BOP conducted searches reasonably calculated to locate all responsive records." "With regard to each request forming the basis of this action, BOP's declarant has satisfactorily described the files that were searched, the search methods employed and explained why those files were the only ones likely to contain responsive records." "In addition, BOP's declarant has satisfactorily explained why the various locations the plaintiff identified as potential sources of the requested escorted trip authorization forms . . . were unlikely to yield responsive records and, thus, were not searched." Similarly, the court finds that "EOUSA's declarants state that '[a]ny systems of records within the USAO/ILN likely to contain [responsive] records' were searched, that 'the search was conducted utilizing [all] methods which should identify any responsive records,' . . . and that '[t]here are no other records systems or locations within EOUSA or DOJ in which other files pertaining to plaintiff's criminal case are maintained[.]'" Responding to plaintiff's argument, the court also finds that "it is long settled that the failure of an agency to turn up one specific document in its search does not alone render a search inadequate."
- **Litigation Considerations, Vaughn Index/Declaration:** The court finds that "plaintiff argues correctly that the statements of DOJ's counsel in the Reply are not evidence." "But counsel's signature on the brief 'represents that 'the factual contentions have . . . evidentiary support,'" and the 'brief reflects a "proffer" of [BOP's] diligent efforts.'"

4. Harvey v. Lynch, No. 14-784, 2016 WL 1559129 (D.D.C. Apr. 18, 2016) (Moss, J.)

Re: Request for records concerning administrative complaints submitted by plaintiff

Disposition: Denying plaintiff's motion for attorney fees and costs

- **Attorney Fees:** The court holds that "[b]ecause [the] timeline makes clear that [plaintiff's] suit was not the cause of the BOP's production of records, [plaintiff] is not eligible for an award of costs." The court relates that "[plaintiff] concedes that he is

eligible for costs, if at all, only" due to "'a voluntary or unilateral change in position by the agency,' as long as the requester's claim is 'not insubstantial.'" The court finds that "BOP's delay, while regrettable, is not of the length that would ordinarily permit the Court to infer that it was prompted to action by [plaintiff's] lawsuit." "And the BOP eventually provided 'a detailed timeline of events leading up to the disclosure of information' that largely, if not completely, refutes any claim that that happened here."

[PAGE * MERGEFORMAT]

Appointment

From: Discovery-Dolph.Becky [Discovery-Dolph.Becky@usepa.onmicrosoft.com]
Sent: 4/9/2018 8:35:36 PM
To: Discovery-Dolph.Becky [Discovery-Dolph.Becky@usepa.onmicrosoft.com]; Hammitt, Jennifer [Hammitt.Jennifer@epa.gov]

Subject: Dolph Collection (EPA-HQ-2017-011126)NRDC v. EPA, 1:17-cv-02734-ABJ (DDC)

Attachments:

Deliberative Process / Ex. 5

Start: 4/9/2018 8:30:00 PM
End: 4/9/2018 9:00:00 PM
Show Time As: Busy

Jennifer:

I am having some issues getting these messages out of Outlook and to you.
For some reason they all got appended to a calendar invite?

Suggestions welcome!

EPA-HQ-2017-008296	David Schultz	Bloomberg BNA	06/12/2017 04:06:07 PM	Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552, I request access to and copies of seven letters that were sent in April from members of Congress to the Environmental Protection Agency (EPA) as well as any responses the EPA may have sent back to those members of congress. The seven letters I am referencing are as follows: Sen. Bill Nelson (D-Fla.) 4/18/17 AL-17-000-7704 Rep. Edward Royce (R-Calif.) 4/18/17 AL-17-000-7703 Sen. Dianne Feinstein (D-Calif.) 4/18/17 AL-17-000-7707 Sen. Dianne Feinstein (D-Calif.) 4/18/17 AL-17-000-7706 Rep. Lou Correa (D-Calif.) 4/12/17 AL-17-000-7412 Rep. Jackie Speier (D-Calif.) 4/3/17 AL-17-000-6994 Rep. Dana Rohrabacher (R-Calif.) 4/27/17 AL-17-000-8032 Please send me copies of these seven letters that are listed in the above chart. Please also send me copies of any responses that the EPA may have sent for each of these respective letters I would like to receive the requested information in electronic format preferably, although hard copies of the documents are acceptable. I agree to pay reasonable processing fees for the processing of this request up to the amount of \$49 Please notify me prior to your incurring any expenses in excess of that amount. Through this request, I am gathering information on that is of current interest to the public. This information is being sought on behalf of Bloomberg BNA for dissemination to the general public. If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all segregable portions of otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.
EPA-HQ-2017-008293	Brian Dabbs	Bloomberg BNA	06/12/2017 03:06:55 PM	See attached document
EPA-HQ-2017-008283	Kevin Bogardus	E&E News	06/12/2017 01:06:26 PM	I request records of all certifications of qualified trusts; certificates of divestiture; notices of disqualification; recusals; waivers; screening arrangements and all other ethics-related records filed by and/or given to Nancy Beck. These documents would likely be prepared under 18 U.S.C. § 207; 18 U.S.C. § 208; 5 C.F.R. Part 2634; 5 C.F.R. Part 2635; and 5 C.F.R. Part 2641 as well as be in the care of the Designated Agency Ethics Official. Please do not consider this individual's OGE Form 278 public financial disclosure reports as responsive records to this request.
EPA-HQ-2017-008282	Kevin Bogardus	E&E News	06/12/2017 01:06:40 PM	I request records of all certifications of qualified trusts; certificates of divestiture; notices of disqualification; recusals; waivers; screening arrangements and all other ethics-related records filed by and/or given to Patrick Traylor. These documents would likely be prepared under 18 U.S.C. § 207; 18 U.S.C. § 208; 5 C.F.R. Part 2634; 5 C.F.R. Part 2635; and 5 C.F.R. Part 2641 as well as be in the care of the Designated Agency Ethics Official. Please do not consider this individual's OGE Form 278 public financial disclosure reports as responsive records to this request.
EPA-HQ-2017-008259	Andrea Pedersen		06/09/2017 08:06:05 PM	Copies of applications submitted by the following entities in Texas as part of the EPA Fiscal Year 2017 Brownfields Assessment and Cleanup Grant competition: (1) City of Austin, (2) City of Fort Worth, (3) City of Houston, (4) Permian Basin Regional Planning Commission, (5) City of Port Arthur, (6) City of Texarkana, and (7) Texoma Council of Governments.
EPA-HQ-2017-008258	Andrea Pedersen		06/09/2017 08:06:14 PM	Copies of applications submitted by the following entities in New Mexico as part of the EPA Fiscal Year 2017 Brownfields Assessment and Cleanup Grant competition: (1) Chaves County and (2) City of Farmington.
EPA-HQ-2017-008256	James Chelmoski		06/09/2017 08:06:37 PM	See Attached file for complete FOIA/PA request I am requesting ALL EPA responsive records pursuant to both FOIA 5 USC 552 and Privacy Act 5 USC 552a regarding me the Requester James Chelmoski. Search Period: 9/1/15 to 6/9/17 Description of Records Sought: Produce from FOIAonline, EPA-9 & EPA-GOVT-2 as EPA System of Records all FOIAonline records which are Related to the Requester include for all the FOIAonline individual records including but not limited to all FOIAonline record fields, entries, status change, assignments, case file, notes, comments, logs, notes, etc. for all my EPA FOIA requests required for both Privacy Act and/or FOIA request It is public record (see attached file) that the EPA "maintains" the FOIAonline system for all the other agencies FOIAonline EPA System of Records related to the "individual" me the requester per Privacy Act definitions 5 USC 552a(a), therefore EPA must produce all FOIAonline Details as described above for all my FOIA requests and/or appeals from EPA and all other Agencies see the following request and/or appeal case numbers: a) EPA FOIAonline cases, I am requesting ALL FOIAonline records, fields, status change, assignments, case file, notes, comments, FOIAonline entries, etc. for the following requests: EPA-HQ-2017-005390 Request EPA-HQ-2016-009708 Request b) EPA maintains the FOIAonline system and by Privacy Act definition of System of Records that EPA maintains and referencing my name and any of my identification. EPA is required by 5 USC 552a to produce all FOIAonline records, fields, status change, assignments, case file, notes, comments, FOIAonline entries, etc. for the following FOIAonline requests and/or appeals (if EPA claims that the EPA does not maintain FOIAonline and has no access to other Agency's FOIAonline records then provide written signed certified statement of that fact): FCC-15-768, FCC-15-769, FCC-15-889, FCC-16-345, FCC-16-487, FCC-16-0665, FCC-2016- FCC-16-712, FCC-16-000863, FCC-17-000511

EPA-HQ-2017-008255	James Chelmowski		06/09/2017 08:06:06 PM	See attached file for complete FOIA/PA request I am requesting ALL EPA responsive records pursuant to both FOIA 5 USC 552 and Privacy Act 5 USC 552a regarding me the Requestor James Chelmowski. Search Period: 5/1/16 to 6/9/17 Description of Records Sought: EPA communication records including internal and external emails, phone & meeting logs, notes, correspondence, etc. during the search period related to the requester James Chelmowski (search with all name permutations such as Chelmowski, Mr. Chelmowski, James Chelmowski & Jim Chelmowski, etc.) and including searches on misspellings like the ones NARA used Chelmowsky, Chelmoski and all communications internal and external emails, logs, notes correspondence, etc. related to my EPA FOIA requests EPA-HQ-2016-009708, EPA-HQ-2017-005390 (all abbreviations like EPA-HQ-2016-9708, EPA-HQ-2017-9708) and all communications internal and external emails, logs, notes, correspondence, etc. associated with Chelmowski v. FCC, No. 16 c 5587 (N.D. Ill) & May 2016 District Court Subpoena EPA never responded to (see attached). Privacy Act/FOIA search must include internal and external emails, notes, conversation & meeting logs and correspondence databases including Office of General Counsel (database) and Office of Environmental Information (database); EPA-22 "Correspondence Management System (CMS)"; EPA-9 "FOIA Requests and Appeal Files" and all non-published email and/or correspondence databases. Plus, any other EPA email systems (including but not limited to the mandate central email system of records which mandated all agencies must implement on or before 12/31/16). Include any request for communications deletions or archives for records regarding me. Must include but not limited to individual emails, notes, logs & correspondence to and from Mark Stimp, Larry Gottesman, Judy Earle, Kevin Minoli, Elise Packard, Justin Schwab, David Fotuhi, Richard Albores, Wendy Schumacher, Judith Lewis and any other EPA staff...
EPA-HQ-2017-008252	Mychal Ozaeta	Earthjustice	06/09/2017 01:06:00 PM	Requesting Information Pertaining to State Applications for EPA Authorization of CCR Permit Programs from the state of Georgia.
EPA-HQ-2017-008249	Cynthia Fernancez		06/09/2017 01:06:00 PM	Requesting any data on improperly discarded non-hospital needles, including (i.e. those used for insulin, pet medication, B12 shots, illicit drugs, etc.).
EPA-HQ-2017-008239	Allan Blutstein	Definers Public Affairs	06/09/2017 04:06:06 PM	According to an "OPP Weekly Report," the Antimicrobial Division (AD) met with representatives from the treated wood industry on August 16, 2016, to discuss certain AWPA guidance. See attachments. This request seeks access to following records concerning that meeting: (1) meeting notes, minutes, agendas, invitations, attendance sheet, and after action reports or memoranda; and (2) email exchanged since June 24, 2016, between Koppers & koppers.com and Steve Knizner, Diane Isbell, Laura Parsons, or Emily Mitchell, or any AD employee who attended the above meeting.
EPA-HQ-2017-008227	C. Peter Sorenson	Sorenson Law Office	04/25/2017 01:04:00 PM	Under Agency Review
EPA-HQ-2017-008223	Jason Su		06/09/2017 01:06:00 PM	Request for copy of the Univ. of California RFA proposal evaluation scoresheet. During a conference call with Mr. Mike Holloway on the EPA grant we applied for, we felt it was important for us to request a copy of the comments so we can improve on our proposal for future grant applications. We made such a request and Mr. Holloway responded with the following information: "During your recent RFA grant proposal debriefing, you requested a hard copy of the full reviewers' consensus score/evaluation sheets of your University of California Berkeley grant proposal. As indicated, I've contacted the EPA Office of Grants and Debarment (OGD) to obtain clarification on the policy about giving hard copies of the reviewers' consensus scoresheets to applicants. The EPA OGD typically does not release the hard copies of the scoresheets to applicants. OGD has confirmed that the applicant would need to submit a Freedom of Information Act (FOIA) request to the EPA for the consensus evaluation scoresheets. The scoresheets will not be released without the submission of a FOIA request from the applicant." Here is the detailed grant application information. We are grateful if you could share a copy of the evaluation scoresheet on the grant we applied for. EPA RFA: EPA-OAR-ORIA-17-02 Applicant name: Linda Neuhauser (Lead) and Jason Su Applicant organization: The Regents of the University of California Proposal title: Evidence-based indoor environmental risk reduction strategies and enhanced national policy guidelines for prevention and control of asthma exacerbations for child Medicaid patients (BREATHE EASY)
EPA-HQ-2017-008218	Sean Reilly	Environment and Energy Publishing	06/09/2017 01:06:00 PM	1) Any documents in possession of the Office of the EPA Administrator and the Office of Air and Radiation that state the mission, charge and membership of the Ozone Cooperative Compliance Task Force referenced in Administrator Scott Pruitt's June 6, 2017 letter delaying attainment designations for the 2015 ozone NAAQS (https://www.eenews.net/assets/2017/06/06/document_gw_08.pdf). 2) Any letters, emails, text messages, etc. between EPA employees and Sen. Orrin Hatch (or members of his staff) related to development of the task force and appointments to the task force.
EPA-HQ-2017-008216	Sean Reilly	Environment and Energy Publishing	06/09/2017 01:06:00 PM	All memoranda, opinions, staff analyses, etc. prepared by the Office of General Counsel in relation to Administrator Pruitt's decision, announced on June 6, to delay attainment designations for the 2015 ozone NAAQS by one year.
EPA-HQ-2017-008214	Sean Reilly	Environment and Energy Publishing	06/08/2017 08:06:23 PM	All memoranda, PowerPoint presentations, staff analyses and all other documents created by staff at the Office of Air Quality Planning and Standards—including, but not limited to the Air Quality Policy Division—prepared in relation to Administrator Pruitt's June 6th decision to delay attainment designations for the 2015 ozone NAAQS by one year.

EPA-R8-2017-008260	Andrea Pedersen		06/09/2017 08:06:42 PM	Closed	Copies of applications submitted by the following entities in Colorado as part of the EPA Fiscal Year 2017 Brownfields Assessment and Cleanup Grant competition: (1) Town of Wellington, (2) Town of Windsor, and (3) Region 9 Economic Development District of SW Colorado Inc.
EPA-R2-2017-008257	Mary E. Desmond	N.W. Bernstein & Assoc. LLC	06/09/2017 08:06:38 PM	Assignment Determination	Dear USEPA FOIA Officer: Please provide all records regarding the gasoline service station located at 34 East Post Road, White Plains, NY, and its current owner, Marianina Oil Corp., including but not limited to the RCRA Enforcement Action during approximately February 2005, EA Type description: RCRA 9006 AC For Comp And/Or Pen (UST) - UST Expedited Settlement Program. The EA identifier for this is 02-2005-7911. For your reference, this EA is listed on line 47220 of the attached spreadsheet, CM-FOI-006004-14. The time frame for this request is 1963 through the present. Thank you very much. Best regards, Mary E. Desmond
EPA-HQ-2017-008256	James Chelmowski		06/09/2017 08:06:37 PM	Assignment Determination	See Attached file for complete FOIA/PA request I am requesting ALL EPA responsive records pursuant to both FOIA 5 USC 552 and Privacy Act 5 USC 552a regarding me the Requester James Chelmowski. Search Period: 9/1/15 to 6/9/17 Description of Records Sought: Produce from FOIAonline, EPA-9 & EPA-GOVT-2 as EPA System of Records all FOIAonline records which are Related to the Requester include for all the FOIAonline individual records including but not limited to all FOIAonline record fields, entries, status change, assignments, case file, notes, comments, logs, notes, etc. for all my EPA FOIA requests required for both Privacy Act and/or FOIA request. It is public record (see attached file) that the EPA "maintains" the FOIAonline system for all the other agencies FOIAonlineas EPA System of Records related to the "individual" me the requester per Privacy Act definitions 5 USC 552a(a), therefore EPA must produce all FOIAonline Details as described above for all my FOIA requests and/or appeals from EPA and all other Agencies see the following request and/or appeal case numbers: a) EPA FOIAonline cases, I am requesting ALL FOIAonline records, fields, status change, assignments, case file, notes, comments, FOIAonline entries, etc. for the following requests: EPA-HQ-2017-005390 Request EPA-HQ-2016-009708 Request b) EPA maintains the FOIAonline system and by Privacy Act definition of System of Records that EPA maintains and referencing my name and any of my identification. EPA is required by 5 USC 552a to produce all FOIAonline records, fields, status change, assignments, case file, notes, comments, FOIAonline entries, etc. for the following FOIAonline requests and/or appeals (if EPA claims that the EPA does not maintain FOIAonline and has no access to other Agency's FOIAonline records then provided written signed certified statement of that fact): FCC-15-768, FCC-15-769, FCC-15-889, FCC-16-345, FCC-16-487, FCC-16-0665, FCC-2016-FCC-16-712, FCC-16-000863, FCC-17-000511
EPA-R10-2017-008265	Andrea Pedersen		06/09/2017 08:06:34 PM	Assignment Determination	Copy of application(s) submitted by the City of Baker City, Oregon as part of the EPA Fiscal Year 2017 Brownfields Assessment and Cleanup Grant competition.
EPA-R2-2017-008267	Christy O'Connor	Brinkerhoff Environmental Services, Inc.	06/09/2017 08:06:34 PM	Closed	"All Phase I Environmental Site Assessment Info." For: Industrial Property Owner: Lakewood Associates Ltd. 440-450 Oberlin Avenue South - Block 1600, Lot 5 Lakewood Twp., Ocean co., NJ Brinkerhoff Project # 16-0447 "We are looking for the following in accordance with ASTM E1527-13: site inspection reports; violations pertaining to handling, storage or disposal of hazardous substances; hazardous material releases or spills; underground storage tank information; Activity and Use Limitations (AULs) and environmental lien information; and any other information you may have regarding potential areas of environmental concern. "

EPA-R9-2017-008263	Andrea Pedersen		06/09/2017 08:06:26 PM	Closed	Copies of applications submitted by the following entities in California as part of the EPA Fiscal Year 2017 Brownfields Assessment and Cleanup Grant competition: (1) City of Rialto; (2) Sacramento Housing and Redevelopment Agency; (3) City of Sacramento; (4) San Francisco Recreation and Park Department; (5) City of Stockton; and (6) City of West Sacramento.
EPA-R8-2017-008261	Andrea Pedersen		06/09/2017 08:06:22 PM	Closed	Copies of applications submitted by the following entities in Wyoming as part of the EPA Fiscal Year 2017 Brownfields Assessment and Cleanup Grant competition: (1) City of Laramie and (2) City of Cheyenne.
EPA-HQ-2017-008258	Andrea Pedersen		06/09/2017 08:06:14 PM	Estimate Costs	Copies of applications submitted by the following entities in New Mexico as part of the EPA Fiscal Year 2017 Brownfields Assessment and Cleanup Grant competition: (1) Chaves County and (2) City of Farmington.
EPA-R10-2017-008266	Andrea Pedersen		06/09/2017 08:06:07 PM	Assignment Determination	Copy of application(s) submitted by the Nez Perce Tribe of Idaho as part of the EPA Fiscal Year 2017 Brownfields Assessment and Cleanup Grant competition.
EPA-HQ-2017-008255	James Chelmowski		06/09/2017 08:06:06 PM	Assignment Determination	responsive records pursuant to both FOIA 5 USC 552 and Privacy Act 5 USC 552a regarding me the Requestor James Chelmowski. Search Period: 5/1/16 to 6/9/17 Description of Records Sought:EPA communication records including internal and external emails, phone & meeting logs, notes, correspondence, etc. during the search period related to the requester James Chelmowski (search with all name permutations such as Chelmowski, Mr. Chelmowski, James Chelmowski & Jim Chelmowski, etc.) and including searches on misspellings like the ones NARA used Chelmowsky, Chelmoski and all communications internal and external emails, logs, notes correspondence, etc. related to my EPA FOIA requests EPA-HQ-2016-009708, EPA-HQ-2017-005390 (all abbreviations like EPA-HQ-2016-9708, EPA-HQ-2017-9708) and all communications internal and external emails, logs, notes, correspondence, etc. associated with Chelmowski v. FCC, No. 16 c 5587 (N.D. Ill) & May 2016 District Court Subpoena EPA never responded to (see attached). Privacy Act/FOIA search must include internal and external emails, notes, conversation & meeting logs and correspondence databases including Office of General Counsel (database) and Office of Environmental Information (database); EPA-22 "Correspondence Management System (CMS)"; EPA-9 "FOIA Requests and Appeal Files" and all non-published email and/or correspondence databases. Plus, any other EPA email systems (including but not limited to the mandate central email system of records which mandated all agencies must implement on or before 12/31/16). Include any request for communications deletions or archives for records regarding me. Must include but not limited to individual emails, notes, logs & correspondence to and from Mark Stilp, Larry Gottesman, Judy Earle, Kevin Minoli, Elise Packard, Justin Schwab, David Fotouhi, Richard Albores, Wendy Schumacher, Judith Lewis and any other EPA staff,...
EPA-HQ-2017-008259	Andrea Pedersen		06/09/2017 08:06:05 PM	Estimate Costs	Copies of applications submitted by the following entities in Texas as part of the EPA Fiscal Year 2017 Brownfields Assessment and Cleanup Grant competition: (1) City of Austin, (2) City of Fort Worth, (3) City of Houston, (4) Permian Basin Regional Planning Commission, (5) City of Port Arthur, (6) City of Texarkana, and (7) Texoma Council of Governments.

Message


From: Vanessa Lamb [Vanessa.Lamb@fcc.gov]
Sent: 8/18/2016 3:08:15 PM
To: Laurence Schecker [Laurence.Schecker@fcc.gov]; Gottesman, Larry [Gottesman.Larry@epa.gov]; Walter Boswell [Walter.Boswell@fcc.gov]
CC: Hammitt, Jennifer [Hammitt.Jennifer@epa.gov]; Ryan Yates [Ryan.Yates@fcc.gov]; Stephanie Kost [Stephanie.Kost@fcc.gov]; Scott Noveck [Scott.Noveck@fcc.gov]; Susan Launer [Susan.Launer@fcc.gov]; Elizabeth Lyle [Elizabeth.Lyle@fcc.gov]; Joanne Wall [Joanne.Wall@fcc.gov]; Crawford, Tim [Crawford.Tim@epa.gov]
Subject: RE: Subpoena

Will do.

From: Laurence Schecker
Sent: Thursday, August 18, 2016 11:05 AM
To: Gottesman, Larry <Gottesman.Larry@epa.gov>; Vanessa Lamb <Vanessa.Lamb@fcc.gov>; Walter Boswell <Walter.Boswell@fcc.gov>
Cc: Hammitt, Jennifer <Hammitt.Jennifer@epa.gov>; Ryan Yates <Ryan.Yates@fcc.gov>; Stephanie Kost <Stephanie.Kost@fcc.gov>; Scott Noveck <Scott.Noveck@fcc.gov>; Susan Launer <Susan.Launer@fcc.gov>; Elizabeth Lyle <Elizabeth.Lyle@fcc.gov>; Joanne Wall <Joanne.Wall@fcc.gov>; Crawford, Tim <Crawford.Tim@epa.gov>
Subject: RE: Subpoena

Please include Scott Noveck who is handling the Chelmowski litigation.

*** Not Public -- For Internal Use Only ***

 Please consider the environment before printing this email or attachments. Live Green!

From: Gottesman, Larry [mailto:Gottesman.Larry@epa.gov]
Sent: Thursday, August 18, 2016 11:03 AM
To: Vanessa Lamb <Vanessa.Lamb@fcc.gov>; Walter Boswell <Walter.Boswell@fcc.gov>
Cc: Hammitt, Jennifer <Hammitt.Jennifer@epa.gov>; Ryan Yates <Ryan.Yates@fcc.gov>; Laurence Schecker <Laurence.Schecker@fcc.gov>; Stephanie Kost <Stephanie.Kost@fcc.gov>; Scott Noveck <Scott.Noveck@fcc.gov>; Susan Launer <Susan.Launer@fcc.gov>; Elizabeth Lyle <Elizabeth.Lyle@fcc.gov>; Joanne Wall <Joanne.Wall@fcc.gov>; Crawford, Tim <Crawford.Tim@epa.gov>
Subject: RE: Subpoena

Vanessa,

Can you give me a call to discuss.

Larry F. Gottesman

202-566-2162 (Direct line)
202-689-4588 (Mobile)

From: Vanessa Lamb [mailto:Vanessa.Lamb@fcc.gov]

Sent: Thursday, August 18, 2016 11:00 AM

To: Gottesman, Larry <Gottesman.Larry@epa.gov>; Walter Boswell <Walter.Boswell@fcc.gov>

Cc: Hammitt, Jennifer <Hammitt.Jennifer@epa.gov>; Ryan Yates <Ryan.Yates@fcc.gov>; Laurence Schecker <Laurence.Schecker@fcc.gov>; Stephanie Kost <Stephanie.Kost@fcc.gov>; Scott Noveck <Scott.Noveck@fcc.gov>; Susan Launer <Susan.Launer@fcc.gov>; Elizabeth Lyle <Elizabeth.Lyle@fcc.gov>; Joanne Wall <Joanne.Wall@fcc.gov>; Crawford, Tim <Crawford.Tim@epa.gov>

Subject: RE: Subpoena

Thanks Larry –

Deliberative Process / Ex. 5

Vanessa

From: Gottesman, Larry [mailto:Gottesman.Larry@epa.gov]

Sent: Thursday, August 18, 2016 10:32 AM

To: Walter Boswell <Walter.Boswell@fcc.gov>

Cc: Hammitt, Jennifer <Hammitt.Jennifer@epa.gov>; Ryan Yates <Ryan.Yates@fcc.gov>; Laurence Schecker <Laurence.Schecker@fcc.gov>; Stephanie Kost <Stephanie.Kost@fcc.gov>; Vanessa Lamb <Vanessa.Lamb@fcc.gov>; Scott Noveck <Scott.Noveck@fcc.gov>; Susan Launer <Susan.Launer@fcc.gov>; Elizabeth Lyle <Elizabeth.Lyle@fcc.gov>; Joanne Wall <Joanne.Wall@fcc.gov>; Crawford, Tim <Crawford.Tim@epa.gov>

Subject: RE: Subpoena

I know Jennifer Hammitt, in EPA's OGC was planning to speak with the AUSA today. Jennifer can be reached on 202-564-5097.

Deliberative Process / Ex. 5

If that is not the case and you need contractor support, please contact Tim Crawford on 202-566-1574 or by email.

Thanks

Larry F. Gottesman

202-566-2162 (Direct line)

202-689-4588 (Mobile)

From: Walter Boswell [mailto:Walter.Boswell@fcc.gov]

Sent: Thursday, August 18, 2016 10:13 AM

To: Gottesman, Larry <Gottesman.Larry@epa.gov>

Cc: Hammitt, Jennifer <Hammitt.Jennifer@epa.gov>; Ryan Yates <Ryan.Yates@fcc.gov>; Laurence Schecker <Laurence.Schecker@fcc.gov>; Stephanie Kost <Stephanie.Kost@fcc.gov>; Vanessa Lamb <Vanessa.Lamb@fcc.gov>; Scott Noveck <Scott.Noveck@fcc.gov>; Susan Launer <Susan.Launer@fcc.gov>; Elizabeth Lyle <Elizabeth.Lyle@fcc.gov>; Joanne Wall <Joanne.Wall@fcc.gov>

Subject: FW: Subpoena

Hi Larry,

Deliberative Process / Ex. 5 & Ex. 6

Thanks,
Walt Boswell

From: Stephanie Kost
Sent: Thursday, August 18, 2016 9:48 AM
To: Walter Boswell <Walter.Boswell@fcc.gov>; Vanessa Lamb <Vanessa.Lamb@fcc.gov>
Cc: Benish Shah <Benish.Shah@fcc.gov>
Subject: FW: Subpoena

Hi All –

I just got off the telephone with Larry Gottesman at the EPA and they received the attached subpoena regarding Mr. Chelmowski. I've left a message with Ryan and hoping to discuss with OGC.

Thanks,
Stephanie

From: Gottesman, Larry [mailto:Gottesman.Larry@epa.gov]
Sent: Thursday, August 18, 2016 9:39 AM
To: Stephanie Kost <Stephanie.Kost@fcc.gov>
Subject: FW: Subpoena

From: Gottesman, Larry
Sent: Thursday, August 18, 2016 9:39 AM
To: 'stephaniw.kost@fcc.gov' <stephaniw.kost@fcc.gov>
Cc: Hammitt, Jennifer <Hammitt.Jennifer@epa.gov>
Subject: Subpoena

Here is the subpoena.

Let us know if we can be of any assistance.

Larry F. Gottesman

202-566-2162 (Direct line)
202-689-4588 (Mobile)

From: Miller, Kevin
Sent: Thursday, August 18, 2016 9:02 AM
To: Gottesman, Larry <Gottesman.Larry@epa.gov>
Subject: FW:

Kevin Miller | US EPA | Office of General Counsel | 1200 Pennsylvania Ave., NW | WJC North, Mail Code 2377A | Washington DC 20460 | phone: (202) 564-2691

From: DC-WJCN-7454B-M@epa.gov [<mailto:DC-WJCN-7454B-M@epa.gov>]
Sent: Thursday, August 18, 2016 9:11 AM
To: Miller, Kevin <Miller.Kevin@epa.gov>
Subject:

To: Stoy, Alyse[Stoy.Alyse@epa.gov]; Miller, Kevin[Miller.Kevin@epa.gov]; Nguyen, Quoc[Nguyen.Quoc@epa.gov]; Kelly, Lynn[Kelly.Lynn@epa.gov]; Hammitt, Jennifer[Hammitt.Jennifer@epa.gov]; Albright, Scott[Albright.Scott@epa.gov]; Margolis, Alan[Margolis.Alan@epa.gov]; Engelman, Alexa[ENGELMAN.ALEXA@EPA.GOV]; Dreyfus, Bethany[Dreyfus.Bethany@epa.gov]; Hartman, Bob[Hartman.Bob@epa.gov]; Stallworth, Deirdre[Stallworth.Deirdre@epa.gov]; Salisbury, Demetra[Salisbury.Demetra@epa.gov]; Harris, Denise[Harris.Denise@epa.gov]; Harris, Donald[Harris.Donald@epa.gov]; Rouch, Ellen[Rouch.Ellen@epa.gov]; Glowacki, Joanna[glowacki.joanna@epa.gov]; Borromeo, Karina[Borromeo.Karina@epa.gov]; Myers, Lucretia[MYERS.LUCRETIA@EPA.GOV]; Kavouras, Maria[Kavouras.Maria@epa.gov]; Boydston, Michael[Boydston.Michael@epa.gov]; Gleason, Michael[Gleason.Michael@epa.gov]; Cohen, Mitchell[cohen.mitchell@epa.gov]; Wood, Nicole[wood.nicole@epa.gov]; Allen, Robin[Allen.Robin@epa.gov]; Leon, Sandra[Leon.Sandra@epa.gov]; Laumann, Sara[Laumann.Sara@epa.gov]; Wells, Sharon[Wells.Sharon@epa.gov]; Capel, Susan[Capel.Susan@epa.gov]; Donaldson, Yerusha[donaldson.yerusha@epa.gov]; Busterud, Gretchen[Busterud.Gretchen@epa.gov]; Herrema, Jeffrey[Herrema.Jeffrey@epa.gov]; Moran, Gloria[Moran.Gloria-Small@epa.gov]; Smith, Kevin B.[Smith.Kevin@epa.gov]; Albano, Emily[Albano.Emily@epa.gov]; Matthews, Julie[Matthews.Juliane@epa.gov]; Prout, Susan[prout.susan@epa.gov]; Clark, Jacqueline[clark.jacqueline@epa.gov]; Ford, Mark[Ford.Mark@epa.gov]; Powell-Dickson, Antoinette[Powell-Dickson.Antoinette@epa.gov]; MacDonald, Jennifer[Macdonald.Jennifer@epa.gov]; Jonesi, Gary[Jonesi.Gary@epa.gov]; Lieben, Ivan[Lieben.Ivan@epa.gov]; Bunnell, Julia[Bunnell.Julia@epa.gov]; Walker, Denise[Walker.Denise@epa.gov]; Dolph, Becky[Dolph.Becky@epa.gov]; Connery, Shannon[Connery.Shannon@epa.gov]; Bermes, Peter[Bermes.Peter@epa.gov]; Kaminer, Joan[Kaminer.Joan@epa.gov]; Stilp, Mark[Stilp.Mark@epa.gov]; Knapp, Michael[Knapp.Michael@epa.gov]; Campbell, Rich[Campbell.Rich@epa.gov]; Palmer, Leif[Palmer.Leif@epa.gov]; Howell, Joyce[Howell.Joyce@epa.gov]; Bolender, Mark[Bolender.Mark@epa.gov]; Fritz, Frank[Fritz.Frank@epa.gov]; Capel, Susan[Capel.Susan@epa.gov]; Mancusi-Ungaro, Philip[Mancusi-Ungaro.Philip@epa.gov]; Luetscher, Greg[Luetscher.Greg@epa.gov]; Pickell, Casey[pickell.casey@epa.gov]; Shapiro, Melissa[shapiro.melissa@epa.gov]; Debes, Alison[Debes.Alison@epa.gov]; Gardner, Allison[Gardner.Allison@epa.gov]; Varilek, Kimberly[Varilek.Kimberly@epa.gov]
From: Schwarz, Matthew
Sent: Thur 4/13/2017 4:31:44 PM
Subject: FW: New Decisions 2035
[New Decisions 2035 Received Week Ending February 25, 2017.docx](#)

From: Fiorillo, Andrew (OIP) [mailto:Andrew.Fiorillo@usdoj.gov]
Sent: Thursday, April 13, 2017 11:14 AM
To: Fiorillo, Andrew (OIP) <Andrew.Fiorillo@usdoj.gov>
Subject: New Decisions 2035

Good Morning,

Attached, please find the case summaries for the week ending February 25, 2017.

Thank you.

Andrew Fiorillo
Senior Attorney
Office of Information Policy
Department of Justice
(202) 598-5074

New Decisions Received Week Ending February 25, 2017 (Decision 2035)

District Courts

1. Albers v. FBI, No. 16-05249, 2017 WL 736042 (W.D. Wash. Feb. 24, 2017) (Settle, J.)

Re: Request for records concerning plaintiff

Disposition: Granting defendant's motion for summary judgement

- **Procedural Requirements, Searching for Responsive Records:** The court holds that "[d]efendant FBI has met its burden to show beyond a material doubt that its records search was reasonably calculated to uncover all relevant documents." "Defendant FBI used the [Automated Case Support ("ACS")] case management system to conduct a main entries search of the Central Records System, which is where information about individuals, including Plaintiff . . . , is indexed." "Any records about Plaintiff . . . , if any, could be found with an ACS search." "The search was conducted with precision, with several search parameters, including date of birth, social security number, and multiple combinations of Plaintiff['s] . . . name." Responding to plaintiff's arguments, the court finds that: "all responsive records could be found using ACS, so a manual search was unnecessary[;]" "all records within the date range of the FOIA request were searchable using ACS[;]" and "[w]hile one interpretation of 'pertaining to' [in plaintiff's request] could include [plaintiff] as a primary subject or as an ancillary subject, it is not unreasonable to interpret 'pertaining to' in such a way as to search only for the primary subject of a particular matter[,]" and, therefore, a cross-reference records search was not required.

2. Chelmowski v. FCC, No. 16-5587, 2017 WL 736893 (N.D. Ill. Feb. 24, 2017) (Coleman, J.)

Re: Requests for records concerning certain informal FCC complaints

Disposition: Granting in part and denying in part defendant's motion for summary judgment; granting in part and denying in part plaintiff's motion for summary judgment

- **Litigation Considerations, Exhaustion of Administrative Remedies:** Regarding two of plaintiff's requests, the court holds that "[t]he undisputed facts demonstrate that [plaintiff] did not file an application for review, which would exhaust his administrative remedies." The court explains that "[a]n application for review by the Commission is the final stage of the administrative remedies available to a FOIA requester under the FCC regulations." The court notes that "[i]nstead of contacting either of the FCC offices listed . . . , [plaintiff] sent a request for assistance to the Office of Governmental Information Services (OGIS), which is a separate agency from the FCC." "There is no authority on which this Court could find that submitting a request to OGIS for assistance can supplant an application for review from the full Commission, which Congress has specifically stated is a 'condition precedent to judicial review.'"

- **Procedural Requirements, Time Limits:** Regarding two other requests, concerning a "fee that the FCC has assessed to complete the requests[.]" the court relates that "[plaintiff] posits that he should be exempt from paying the fee because the FCC did not provide a timely response to his requests[.]" and the court holds that "the FCC has not shown that unusual and exceptional circumstances or other reason exists to excuse the delay in the agency's response to [plaintiff's] . . . administrative appeal." The court finds that "the FCC never provided written notice to [plaintiff] that it needed an additional ten days." Additionally, regarding the possibility that exceptional circumstances exist, the court finds that "[t]he FCC does not provide any reason for the delay."

3. Gilliam v. DOJ, No. 14-00036, 2017 WL 706148 (D.D.C. Feb. 22, 2017) (Mehta, J.)

Re: Request for records concerning plaintiff

Disposition: Granting defendants' motion for summary judgment

- **Litigation Considerations, Adequacy of Search:** "The court is satisfied that Defendants have shown that their search was adequate." The court holds that "DEA searched the computer database that most likely would identify responsive records." "Nothing more is required." Responding to plaintiff's arguments, the court finds that "[p]laintiff's speculation that records *might* exist in a field office does not render the DEA's search inadequate." Additionally, the court finds that "DEA's non-production of specific records that Plaintiff expected to receive does not render its search inadequate."
- **Exemption 7(C):** The court agrees with defendants' use of Exemption 7(C) "to withhold 'the identities of DEA Special Agents . . . and other law enforcement officers[']'" and finds that "[p]laintiff[s] claim[] that the DEA agents acted unlawfully in executing [certain] search warrants . . . comes nowhere close to the 'compelling evidence' needed to satisfy the exception to Exemption 7(C)'s categorical rule against disclosure."
- **Exemption 7(D):** The court finds that "[d]efendants easily meet Exemption 7(D)'s 'reasonable expectation' standard[]" because "[defendant] explains that some of the responsive information concerns 'coded' informants who continue to cooperate with the DEA 'by written signed agreement[. . . and] they are expressly assured confidentiality in their identities and the information they provide to DEA.'"
- **Exemption 7(E):** "[T]he court finds that the DEA's withholding of G-DEP and NADDIS numbers under Exemption 7[(E)] was proper." The court points to defendants' explanation that "[the] numbers correlate to information such as the classification of the violator, the types and amount of suspected drugs involved, the priority of the investigation, and the suspected location and scope of criminal activity[]" and "if these numbers are disclosed it could adversely impact the DEA's investigative activities and enable suspects to avoid detection."
- **Litigation Considerations, "Reasonably Segregable" Requirements:** "The court also is satisfied that Defendants met their obligation to disclose any reasonably segregable

information." "Having reviewed the documents released to Plaintiff . . . it is apparent that Defendants conducted a line-by-line inquiry to determine whether any non-exempt portions of the records could be released." "That observation, coupled with [defendants'] statements in both declarations that all responsive material 'was examined to determine whether any reasonably segregable information could be released,'" . . . satisfies the agencies' duty of segregability."

- **Litigation Considerations, Discovery:** "The court rejects [plaintiff's request for discovery], as Plaintiff has offered only pure conjecture and no actual evidence of bad faith on the part of Defendants to support his taking of discovery."

4. Reporters Comm. for Freedom of the Press v. FBI, No. 15-1392, 2017 WL 729126 (D.D.C. Feb. 22, 2017) (Leon, J.)

Re: Request for records concerning alleged practice of impersonating members of news media

Disposition: Granting defendants' motion for summary judgment; denying plaintiffs' motion for summary judgment; denying plaintiffs' motion for in camera review

- **Litigation Considerations, Adequacy of Search:** The court holds that "the evidence shows that the FBI conducted a good faith, reasonable search of the systems of records likely to possess records responsive to plaintiffs' requests." The court finds that "[t]he agency attests that it searched the record repositories appropriate for each group in a manner designed to uncover responsive records." The court relates that "[p]laintiffs object to the structure of the FBI's search, [focusing on] the agency's decision to divide their FOIA requests into two groups[.]" but finds that "[a]lthough plaintiffs would have structured the search differently, an agency 'need not knock down every search design advanced by every requester' in order to prevail at summary judgment." Responding to plaintiffs' arguments concerning which records systems were searched, the court finds that "[t]he FBI was not required to search every record system; it was only required to conduct a reasonable search of those systems of records *likely* to possess the requested information." Regarding plaintiff's criticism of "the search terms used by the FBI[.]" the court finds that "a search is not rendered inadequate by the suggestion of 'additional search terms' that, in the requester's view, the agency 'should have used.'" Finally, responding to plaintiff's argument, the court "reviewed the information identified by plaintiffs for 'positive indications of overlooked materials[.]'" but found that "[n]othing in these materials persuades [the court] that plaintiffs' arguments are anything more than '[m]ere speculation that as yet uncovered documents may exist.'"
- **Exemption 1:** The court "defer[s] to the FBI's predictive judgment regarding this classified material and will not review it *in camera* or order it disclosed." The court notes that "the FBI provides a sworn affidavit from an original classification authority . . . who reviewed all of the withheld information and affirms that it is properly classified pursuant to Executive Order 13526[.]" and "also affirms that the withheld material contains information pertaining to intelligence sources and methods, and that release of this

information reasonably could be expected to cause serious damage to the national security of the United States, and therefore should be and is classified at the 'Secret' level."

- **Exemption 3:** "[The court is] satisfied that the Bureau properly withheld portions of the responsive records under the National Security Act of 1947." The court relates that "[defendants'] affidavit explains that 'the FBI's intelligence sources and methods would be revealed if any of the withheld information is disclosed to Plaintiffs.'"
- **Exemption 5, Deliberative Process Privilege & Attorney-Client Privilege:** The court holds that "both exemptions apply." The court relates that some of the withheld information "show[s] that agency personnel were discussing changes to, and legal review of, an application for a search warrant before submitting it to a court." "Such information is both pre-decisional and privileged." Also, other "redacted material 'concerns opinions and recommendation[s] of an advisory nature about FBI authority and policy evaluated in light of [a certain] investigation, but not adopted by the agency as final policy.'" The court finds that "this information, too, was properly withheld."
- **Exemptions 6 & 7(C):** The court holds that "[t]he Bureau properly withheld [names and identifying information of federal and state law enforcement and support personnel.]" The court finds that "[t]he FBI starts from a strong position[]" because "[c]ourts in our Circuit have repeatedly held that law enforcement and support personnel have an 'extremely strong privacy interest' in not having their identifying information disclosed in connection with any particular investigative matter." The court finds that "[t]he FBI has invoked that weighty interest here . . . and plaintiffs offer little to counterbalance it[]" because they "do not explain what, if anything, the disclosure of information identifying individual government employees would add to informing the public." "'In the absence of a legitimate public interest, the private interest in avoiding harassment or violence tilts the scales.'"
- **Exemption 7(E):** "Although plaintiffs demand that the Bureau describe in greater detail the nature of the records it withheld, [the court] find[s] that the agency has justified its withholdings because it has 'logically explain[ed]' how the information could help criminals circumvent the law." The court relates that "the FBI invokes Exemption 7(E) with respect to six kinds of information: (1) operational directives; (2) records pertaining to a specific undercover operation; (3) internal FBI secure fax and phone numbers; (4) details concerning deployments of [Computer Internet Protocol Address Verifiers]; (5) details about certain targets of pen registers and trap and trace devices; and (6) collection and analysis methods."
- **Litigation Considerations, "Reasonably Segregable" Requirements:** "Upon review of the FBI's declarations and *Vaughn* index, [the court] conclude[s] that the Bureau has fulfilled its duty to be 'as specific as possible without actually disclosing information that deserves protection.'" The court relates that "[t]he agency affirms that it 'individually examined' every page 'line by line'" and "[m]aterial that was withheld was either exempt from disclosure or was so intertwined with protected material that segregation was not possible without foreseeable harm."

5. Kinney v. CIA, No. 16-5777, 2017 WL 698795 (W.D. Wash. Feb. 22, 2017) (Settle, J.)

Re: Request for records concerning specified individual as an intelligence source

Disposition: Granting in part and denying in part defendant's motion for relief from providing initial disclosures, conducting discovery conference, and filing joint status report

- **Litigation Considerations, Discovery:** "[T]he Court denies Defendant's request for relief from conducting a Rule 26(f) discovery conference and filing a joint status report, as required by the Court's previous order." The court finds that "[a]lthough Defendant requests that it be relieved of conducting a discovery conference or filing a joint status report, it fails to provide any basis upon which such relief should be granted." However, "having reviewed the parties' briefs, the Court grants Defendant's motion for relief from the Rule 26(1)(a) initial disclosure requirement." He court explains that "because this case potentially implicates highly sensitive information, and because it is likely to be resolved on summary judgment, the Court finds it prudent to relieve Defendant of its initial disclosure obligations under Rule 26(a)."

6. Calderon v. Dep't of Agric., No. 14-0425, 2017 WL 680367 (D.D.C. Feb. 21, 2017) (Chutkan, J.)

Re: Request for transactional documents relating to export credit guarantee program

Disposition: Granting in part and denying in part defendant's motion for summary judgment; granting in part and denying in part plaintiff's motion for summary judgment

- **Litigation Considerations, Vaughn Index/Declaration:** The court holds that, "[g]iven the large number of documents at issue, and that the categories of information are frequently repeated in the various documents, [defendant's] decision to refrain from repetitive and redundant explanations in its *Vaughn* index in favor of explaining in its submitted declarations is satisfactory to the court." The court explains that "[w]hile the index itself does not include legal justifications for applying the exemptions, the accompanying agency and submitter affidavits are sufficiently descriptive for the court and for [plaintiff] to understand the agency's reasoning for each redaction." The court relates that "[defendant's] *Vaughn* index includes columns for Bates numbering, document description, document date, applicable FOIA exemption, and specific information redacted or withheld."
- **Exemption 4:** "[T]he court finds that Exemption 4 cannot apply to [certain] information[]" and that "there remains a genuine issue of material fact as to the application of Exemption 4 to [other information]." However, "[t]he court finds that Exemption 4 properly applies to the submitters' bank account information and tax ID information included on any of the responsive documents." The court first notes that "[t]he parties agree that in order to participate in the Program, the exporters were required to provide the responsive documents and information as part of their program guarantee application."

Then, "[t]he court . . . concludes that disclosure of the redacted information is not likely to impair [defendant's] ability to collect this information in the future." "[T]he court is not convinced that whether private entities will *participate* in the . . . Program is relevant to the court's analysis under FOIA of whether [defendant] will likely be impaired in its ability to obtain information in the future from those entities that *do* participate." "When entities apply to [defendant] to take advantage of the Program's significant economic incentives, they will be obligated to provide the required transactional documents, and [defendant] has not asserted that the quality or substance of the information provided in these required documents might be diminished." Regarding the possibility of actual competition, "the court finds that evidence for market competition is established in the record." Regarding the competitive injury at issue, the court relates that "[defendant] argues that the general disclosure of the names and addresses of the transactional parties, including foreign banks, shippers, importers, consignees, buyers, etc., as well as the numerical information on pricing, units, weights, and amounts, would (1) provide potential competitors in the market . . . with unfair insight, and (2) enable those competitors to use that insight to target banks and other parties with better offers on price and other terms, resulting in lost future transactions for the submitters." However, the court finds that "[defendant] offers little explanation for how a new competitor, armed only with the disclosed names of importers, banks, and other pricing/quantity info, would overcome these 'high barriers to entry' built into structuring these program transactions." "Nor does [defendant] or the submitters state that they, as existing market competitors, would use the disclosed information in competition with each other." Additionally, the court finds that, "given that the redacted information in these documents pertains only to transactions in . . . three countries, and the alleged harm is that hypothetical competitors could offer specific transactional partners better deals, then [defendant] must provide support for its argument that there will actually be competition in these markets and that competitive harm is likely." "Instead, [defendant] has only offered vague and conclusory allegations about potential competition in markets other than those relevant here." Also, "[t]he court finds that [plaintiff] has proffered enough evidence to establish an issue of fact as to whether the names and addresses of shippers, the quantities, and the weights of commodities are in fact in the public domain through [a] database." Additionally, the court is "unconvinced that releasing ["the names and contact information of the submitters' employees and officials"] would likely cause substantial harm to the submitters' competitive position." "While the submitters may be concerned about competitors giving their employees more lucrative or attractive job offers, that is a routine aspect of competition, and is not the concern of [defendant], FOIA, or this court, and therefore does not support redaction under Exemption 4."

However, regarding plaintiff's "general 'bad faith' argument[,] . . . pointing out that [defendant] has, in the past, not redacted the information it redacted here[,] "the court is not convinced that it can glean anything from [defendant's] past actions or selective redaction in its document production that might impact its analysis regarding the redactions at issue in this case." The court also agrees with "[defendant's] redact[ion] [of] certain specific bank account numbers and tax ID numbers within the documents . . . [because] disclosure may place the submitters at risk for fraud or theft."

- **Exemption 6:** The court relates that "[defendant] invoked FOIA Exemption 6 to redact the names, signatures, business addresses, business telephone numbers, and business e-mail addresses of individuals in the responsive documents." The court first finds that "the information redacted by [defendant] is sufficiently similar to personnel or medical files to meet the threshold requirement for this exemption." Next, "the court finds that there is no significant privacy interest in individuals' names or business addresses, but in light of [defendant's] and the submitters' harassment concerns, there is a privacy interest in the employees' business e-mail addresses and business phone numbers." Then, "the court concludes there is virtually no public interest in disclosure of this information[]" because "[t]here is no logical connection between the e-mail addresses, signatures, and phone numbers of employees at entities involved in these transactions and what the government 'is up to.'" However, the court then finds that "[h]aving determined that there is no privacy interest in employees' names and business addresses[.]" "[defendant] is ordered to disclose individual names and business addresses in the responsive documents." However, "[i]n light of the privacy interest employees have in non-disclosure of their e-mail addresses or phone numbers, and the lack of a countervailing public interest, the court denies Plaintiff's motion and grants [defendant's] motion with respect to whether Exemption 6 permits the redaction of e-mail addresses, signatures and phone numbers."

7. Elec. Privacy Info. Ctr. v. FBI, No. 14-01311, 2017 WL 680370 (D.D.C. Feb. 21, 2017) (Mehta, J.)

Re: Request for unpublished privacy assessments designed to evaluate whether information technology systems effectively protected sensitive personal information

Disposition: Granting in part and denying in part defendant's motion for summary judgment; granting in part and denying in part plaintiff's motion for summary judgment

- **Litigation considerations, Adequacy of Search:** The court holds that "summary judgment cannot be entered for the FBI because the record does not contain sufficient information for the court to assess whether the agency conducted a search reasonably calculated to uncover all responsive records." The court finds that "[defendant's] Declaration falls short of being 'a reasonably detailed affidavit, setting forth the search terms and the type of search performed, and averring that all files likely to contain responsive materials . . . were searched.'" "The declaration does not, for instance, say whether . . . staff searched paper files, electronic files, or both." "If it searched electronic files, then the declaration does not say what search terms were used." "Nor does it identify the persons . . . who most likely possessed responsive materials." "A declaration lacking such basic facts does not satisfy an agency's burden to demonstrate the adequacy of its search." "The court, however, will permit the FBI to supplement the record to cure the deficiencies and to renew its motion for summary judgment as to the adequacy of its search."
- **Exemption 7, Threshold:** "[T]he court concludes that the FBI has not established that the [Privacy Impact Assessments ("PIAs") and Privacy Threshold Analyses (PTAs)] meet the threshold 'compiled for law enforcement purposes' requirement under Exemption

7(E)[.]” The court finds that “[defendant’s declaration], without more, is insufficient to establish that the withheld materials were compiled for law enforcement purposes within the meaning of FOIA.” “[Defendant] devotes most of its attention to establish a single, generic point: The FBI uses various technologies to carry out its law enforcement duties.” “No one disputes that fact.” However, the court finds that “[defendant’s] Declaration does not adequately explain how or why the PTAs and PIAs are created or used to enforce the law.” “It tells the court nothing about the connection between the contents of the assessments and the agency’s law enforcement function.” “Rather, the declaration simply asserts, without any elaboration, that there is some unspecified ‘nexus’ between the privacy assessments and the agency’s law enforcement responsibilities.” “Such a conclusory assertion does not enable the court to conduct a de novo review of the FBI’s withholdings under Exemption 7(E).” “None of this should be taken to mean that the privacy assessments required by the E-Government Act do not, in theory, have a rational nexus to the act of enforcing the law.” “[Defendant’s] Declaration, however, draws no such connection between the privacy assessments requested by Plaintiff and the FBI’s law enforcement function, and the court will not recognize the propriety of the FBI’s withholdings based on an argument the agency has not made.” “The court, however, will allow the FBI to supplement its declaration so that the court can determine whether Exemption 7(E) applies to the withheld information.”

- **Litigation Considerations, Vaughn Index/Declaration:** The court cautions defendant that “[t]he heavy use of technical jargon makes it difficult, at least for this court, to discern precisely what ‘techniques and procedures’ the release of the withheld materials would disclose.” “Likewise, saying that disclosure of withheld information ‘could’ enable hackers to infiltrate ‘the FBI’s internal computer systems’ is simply a conclusory statement, unsupported by any facts.” “The court does not mean to diminish the difficulties attendant to describing technology systems and concepts to a non-technical audience.” “Nevertheless, those descriptions cannot be written as if the court possesses an advanced degree in computer science.” “Unfortunately, it does not.” “Thus, when the FBI revises its declaration, the court urges the agency to use less jargon and opt instead for plain language that will more easily enable the court to determine if the requirements of Exemption 7(E) are met.”
- **Exemption 5:** The court relates that, “[i]n the Joint Status Report, Plaintiff also indicated its intention to challenge the FBI’s invocation of Exemptions 5 and 7(D).” “Plaintiff’s Motion, however, does not respond to the agency’s arguments concerning Exemption 5.” “Accordingly, the court grants summary judgment in favor of the FBI as to the FBI’s reliance on that exemption.”

8. Judicial Watch, Inc. v. Dep’t of State, No. 15-687, 2017 WL 680371 (D.D.C. Feb. 21, 2017) (Boasberg, J.)

Re: Request for records concerning former Secretary of State’s use of private e-mail server during her time as Secretary of State

Disposition: Granting defendant’s motion for summary judgment; denying plaintiff’s motion for summary judgment

- **Exemption 5, Deliberative Process Privilege:** "The Court . . . concludes that [plaintiff] has not provided a sufficient basis to believe that the information withheld by the State Department would shed light on any government misconduct." The court relates that "[w]hile [plaintiff] concedes that this privilege appears to exempt the material it seeks, it nevertheless invokes the narrow government-misconduct exception in an attempt to overcome that privilege for these records." "After reviewing the 30 records *in camera*, the Court finds no support for Plaintiff's position." "Even assuming that the conduct hypothesized by [plaintiff] would rise to the level required for the narrow government-misconduct exception, the records show no such acts." "More specifically, the material withheld does not provide insight into [the former Secretary of State's] misuse of the private server, nor does it reveal any purported Department complicity in that act or effort to downplay her conduct after the fact."

9. New York Times Co. v. DOJ, No. 14-3777, 2017 WL 713560 (S.D.N.Y. Feb. 21, 2017) (Oetken, J.)

Re: Request for five memoranda related to investigation into certain overseas interrogations

Disposition: Granting in part and denying in part defendant's motion for summary judgment; granting in part and denying in part plaintiffs' motion for summary judgment

- **Exemption 3:** First, the court relates that "the Government relies on Federal Rule of Criminal Procedure 6(e) as the statute justifying its withholding of the four memoranda at issue." Second, "[t]he Court . . . grants summary judgment to the Times as to the inapplicability of Rule 6(e), as applied through FOIA Exemption 3, to . . . Recommendation Memoranda." The court finds that "the Recommendation Memoranda in this case were prepared to advise the Attorney General as to whether full criminal investigations were warranted, the scope of which may or may not include some future grand jury proceedings." Third, "[t]he Court . . . grants summary judgment to DOJ in part as to the withholding of . . . Declination Memoranda under Rule 6(e), applied through FOIA Exemption 3." The court finds that "the Declination Memoranda were prepared after 'extensive grand jury proceedings, including the issuance of grand jury subpoenas for witness testimony and documents[']" and that "[t]he memoranda embody [defendant's] 'determination[] that the criminal investigations should be closed without further action.'" The court also relates that defendant states "that the memoranda 'reveal matter that occurred before the grand jury,' including 'the targets of the grand jury's investigations, . . . the identity of witnesses who appeared before the grand jury,' and 'the path of the grand jury's investigations into the two detainee deaths, including the prosecutors' strategy in investigating these deaths.'" However, the court finds that "this does not warrant withholding of the Declination Memoranda in their entirety[]" because, regarding information such as "the dates the grand jury served and the number of times it sat, . . . the Government does not make a legal case for why Rule 6(e) covers such administrative information." "Moreover, [defendant's] affidavit fails to indicate whether the Declination Memoranda include additional information outside of matters before the grand jury, such as matters relating solely to [defendant's] independent investigation."

- Exemptions 1 & 3:** The court holds that "[t]he Government has . . . carried its burden under FOIA Exemption 1." The court relates that defendant "has invoked FOIA Exemptions 1 and 3 to protect six categories of information contained in the memoranda in this case: (1) information regarding human intelligence sources; (2) details concerning foreign liaison services; (3) the identities of covert personnel; (4) the locations of covert CIA installations and former detention centers located abroad; (5) descriptions of specific intelligence methods and tradecraft that are still in operational use; and (6) classification and dissemination control markings." "[Plaintiff] does not challenge the withholding of information under categories (1), (3), or (6)." "[T]he Court grants 'substantial deference' to [defendant's] affidavit, as it 'implicate[s] national security,' . . . and [plaintiff] does not challenge 'the truthfulness or sincerity of the declarants[.]'" "Assessing the record 'on the whole,' as this Court is required to do, DOJ's withholding of 'the content of . . . communications' between the United States and foreign liaison services and foreign government officials, 'as well as the mere fact of the existence' of the Government's relationships with them . . . , 'objectively survives the test of reasonableness, good faith, specificity, and plausibility.'" Regarding category four, the court finds that "the Government has never officially acknowledged the locations of the CIA's covert facilities and installations . . . , and [plaintiff's] reliance on the alleged disclosure of such information by others does not function as official acknowledgement by the Government for purposes of waiver under the FOIA exemptions." Regarding the fifth category, the court finds that "the Government has shown with sufficient specificity and plausibility that the disclosure of details concerning intelligence gathering practices and CIA tradecraft that are still in use would undermine the usefulness of those methods, to the detriment of national security."

"The Court alternatively concludes that DOJ has met its burden to withhold information from the categories in question under Exemption 3, incorporating the secrecy provisions of the CIA Act, 50 U.S.C. § 3507, and the National Security Act, 50 U.S.C. § 3024(i)(1)." The court relates that "the Government invokes both the National Security Act and the CIA Act to protect the details of foreign liaison relationships . . . and the National Security Act to protect the locations of covert CIA facilities abroad and CIA intelligence methods and tradecraft." The court finds that "Exemption 3, incorporating the National Security Act and CIA Act, provides the Government with discretion to withhold records where, as here, the information sought to be redacted and withheld falls within the broad scope of the claimed statute."

- Exemptions 6 & 7(C):** "Balancing [the] interests, the Court grants summary judgment to DOJ to withhold identifying information of targets, witnesses, foreign officials, overt and covert CIA personnel, and human sources pursuant to Exemptions 6 and 7(C)." "This grant is to be narrowly limited to the [information at issue,] personally identifying information contained in the memoranda[.]" The court finds that "'third parties including witnesses, the targets of the investigations, covert and overt CIA personnel, foreign officials, and human sources,' whose personally identifying information is being withheld, have a strong privacy interest in not being identified with the Government's criminal investigation." The court also finds that "[plaintiff] does not allege that the identities of any of the individuals identified by the Government is necessary in order to confirm or

refute compelling evidence that the agency engaged in illegal activity in drafting the memoranda."

- **Exemption 5, Deliberative Process Privilege & Attorney Work-Product:** The court holds that "the express adoption doctrine applies to the referenced exhibits, such that they do not fall under FOIA Exemption 5." The court explains that the exhibits "were 'collected and considered by [defendant] and [its] team in the course of their investigation[']" and "[t]hose 'facts' upon which [defendant] relied in their reasoning or conclusions, which were later expressly adopted by the Attorney General, are subject to the express adoption doctrine as applied to the work-product doctrine." However, the court finds that another "section of the memoranda was not adopted by the Attorney General and is properly withheld under Exemption 5." The court finds that "unless the circumstances surrounding [an] appointment[, the issue discussed in this section,] are relevant to the reasoning and conclusion of the Recommendation Memoranda, which this Court struggles to imagine is the case, this section is not subject to the express adoption doctrine and is properly withheld under Exemption[5]."

James Chelmowski

Plaintiff

v.

Federal Communication Commission

Defendant

Civil Action No. 16 CV 5587

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To:

Environmental Protection Agency, General Counsel
1200 Pennsylvania Avenue, N.W. , Washington, DC 20460

(Name of person to whom this subpoena is directed)

☒ **Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: Produce all FOIAonline.regulations.gov complete detailed transactions with all fields include user, date, time, transaction type, notes, etc... every field in each record for FOIA requests FCC-2015-768, FCC-2015-769, FCC-2016-345, FCC-2016-665 and FOIA appeals FCC-2015-889, FCC-2016-487, FCC-2016-712. See attached

Place: James Chelmowski 6650 N Northwest Hwy #300 Chicago, IL 60631 (847)768-0000	Date and Time: 08/18/2016 5:00 pm
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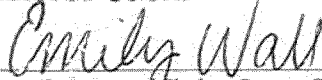
☐ **Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
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The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 07/25/2016

CLERK OF COURT



Signature of Clerk or Deputy Clerk

OR

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* James Chelmowski
6650 N Northwest Hwy #300 Chicago IL 60631, who issues or requests this subpoena, are:
James Chelmowski, jchelmowski@comcast.net, 847-768-0000

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Subject to United States District Court Subpoena Dated July 25, 2016.

To Produce all FOIAonline.regulations.gov complete detailed transactions with all fields include user, date, time, transaction type, notes, etc... every field in each record for FOIA requests FCC-2015-768, FCC-2015-769, FCC-2016-345, FCC-2016-665 and FOIA appeals FCC-2015-889, FCC-2016-487, FCC-2016-712.

It must include all FOIAonline complete entries and/or transactions records by the FCC including and not limited to FCC entries and/or transactions for appeals FCC-2015-889 in or around May 2016 which closed the FOIAonline with a final disposition to **"Closed for other reasons – Request Withdrawn"** and close date 10/20/2016". See next page for the status on 4/21/2016 and 5/30/2016 for FCC-2015-889.

Tracking Number	Type	Track	Submitted	Due	Phase	Detail
FCC-2016-000712	Appeal	Simple	06/23/2016	TBD	Evaluation	
FCC-2016-000665	Request	Simple	06/02/2016	07/06/2016	Assignment	
FCC-2016-000487	Appeal	Simple	03/18/2016	04/15/2016	Assignment	
FCC-2016-000345	Request	Simple	02/10/2016	03/11/2016	Closed	
FCC-2015-000889	Appeal	Simple	09/30/2015	10/29/2015	Closed	
FCC-2015-000769	Request	Expedited	09/11/2015	10/09/2015	Closed	
FCC-2015-000768	Request	Expedited	09/11/2015	10/09/2015	Closed	

Message

From: Albores, Richard [Albores.Richard@epa.gov]
Sent: 8/21/2017 8:15:01 PM
To: Hammitt, Jennifer [Hammitt.Jennifer@epa.gov]
CC: Youngblood, Charlotte [Youngblood.Charlotte@epa.gov]; Blake, Wendy [Blake.Wendy@epa.gov]; Kelly, Lynn [Kelly.Lynn@epa.gov]
Subject: RE: EPA-HQ-2017-008256 Appeal letters dated July 18, 2017

Thanks, Jennifer. Much appreciated.

R

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**RICHARD L. ALBORES**

Associate Deputy General Counsel \* Office of General Counsel \* U.S. EPA \* 1200 Pennsylvania Avenue, NW \* MC2310A  
\* Washington, DC 20460 \* email: albores.richard@epa.gov \* phone: 202.564.7102 \* mobile: 202.809.8029

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**From:** Hammitt, Jennifer  
**Sent:** Monday, August 21, 2017 1:55 PM  
**To:** Albores, Richard <Albores.Richard@epa.gov>  
**Cc:** Youngblood, Charlotte <Youngblood.Charlotte@epa.gov>; Blake, Wendy <Blake.Wendy@epa.gov>; Kelly, Lynn <Kelly.Lynn@epa.gov>  
**Subject:** FW: EPA-HQ-2017-008256 Appeal letters dated July 18, 2017

Hi Rich – Charlotte asked me to follow up with you on the Chelmowski appeal referenced below.

Kevin Miller responded closing the appeal on 8/9/2017. That letter is attached.

Since then, the requestor has filed another appeal asking that EPA answer questions regarding the first two appeals, which were consolidated and closed. The new appeal number is EPA-HQ-2017-010397 and it is assigned to Lynn Kelly. Thanks.

Jennifer Hammitt  
Attorney-Advisor, Information Law Practice Group  
Office of General Counsel, General Law Office  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW, MC-2377A  
Washington, DC 20460  
(202) 564-5097

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**From:** Youngblood, Charlotte  
**Sent:** Monday, August 21, 2017 1:03 PM  
**To:** Hammitt, Jennifer <Hammitt.Jennifer@epa.gov>  
**Cc:** Blake, Wendy <Blake.Wendy@epa.gov>  
**Subject:** FW: EPA-HQ-2017-008256 Appeal letters dated July 18, 2017

Jennifer,

Attorney Client / Ex. 5

Deliberative Process / Ex. 5

# Attorney Client / Ex. 5

## Deliberative Process / Ex. 5

Thanks!

Charlotte Youngblood  
Deputy Associate General Counsel  
General Law Office  
Office of General Counsel  
U.S. Environmental Protection Agency  
(202) 564-0283  
[youngblood.charlotte@epa.gov](mailto:youngblood.charlotte@epa.gov)

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**From:** Albores, Richard  
**Sent:** Monday, August 21, 2017 12:58 PM  
**To:** Blake, Wendy <[Blake.Wendy@epa.gov](mailto:Blake.Wendy@epa.gov)>; Youngblood, Charlotte <[Youngblood.Charlotte@epa.gov](mailto:Youngblood.Charlotte@epa.gov)>  
**Cc:** Packard, Elise <[Packard.Elise@epa.gov](mailto:Packard.Elise@epa.gov)>; Miller, Kevin <[Miller.Kevin@epa.gov](mailto:Miller.Kevin@epa.gov)>  
**Subject:** RE: EPA-HQ-2017-008256 Appeal letters dated July 18, 2017

## Deliberative Process / Ex. 5

### Attorney Client / Ex. 5

R

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RICHARD L. ALBORES

Associate Deputy General Counsel * Office of General Counsel * U.S. EPA * 1200 Pennsylvania Avenue, NW * MC2310A
* Washington, DC 20460 * email: albores.richard@epa.gov * phone: 202.564.7102 * mobile: 202.809.8029

From: Minoli, Kevin
Sent: Wednesday, August 09, 2017 1:14 PM
To: Blake, Wendy <Blake.Wendy@epa.gov>; Youngblood, Charlotte <Youngblood.Charlotte@epa.gov>; Miller, Kevin <Miller.Kevin@epa.gov>
Cc: Albores, Richard <Albores.Richard@epa.gov>; Packard, Elise <Packard.Elise@epa.gov>
Subject: FW: EPA-HQ-2017-008256 Appeal letters dated July 18, 2017

I am going to reply that I received the email and attachments today. Please let me know if you want to discuss before I do. Kevin

Kevin S. Minoli
Acting General Counsel
Office of General Counsel
US Environmental Protection Agency
Main Office Line: 202-564-8040

From: Jim Chelmowski [<mailto:jchelmowski@comcast.net>]
Sent: Tuesday, August 08, 2017 3:42 PM

To: Gottesman, Larry <Gottesman.Larry@epa.gov>; Fine, Steven <fine.steven@epa.gov>; Pruitt, Scott <Pruitt.Scott@epa.gov>; Earle, Judy <Earle.Judy@epa.gov>; Minoli, Kevin <Minoli.Kevin@epa.gov>; FOIA HQ <FOIA_HQ@epa.gov>; privacy <privacy@epa.gov>
Cc: jchelmowski@comcast.net; Criminal.Division@usdoj.gov
Subject: EPA-HQ-2017-008256 Appeal letters dated July 18, 2017

The EPA, Messrs. Gottesman, Fine, Minoli and Pruitt and Ms. Earle

All EPA recipients Messrs. Gottesman, Fine, Minoli & Pruitt and Ms. Earle please show consideration and confirm you read this email ASAP because I was denied my rights pursuant to 5 USC 552(a)(6)(i)(I) and corrected an apparent fraudulent appeal with my actual appeal.

As you are all aware the July 18, 2017 FOIA Appeal was never filed by the Requester (me) and the EPA did not investigate.

Also, the EPA refused to respond to my requested rights beginning July 25, 2017 pursuant to 5 USC 552(a)(6)(i)(I) the [requester's] right of such person to seek assistance from the FOIA Public Liaison of the agency.

Therefore, I am forced to replace the apparent fraudulent appeal which the EPA which refused to investigate with my actual FOIA Appeal of my FOIA/Privacy Act Response of EPA-HQ-2017-008256.

Find the attached the only FOIA Appeal I authorized for EPA-HQ-2017-008256 and updated FOIA online appeal record EPA-HQ-2017-009508.

James Chelmowski
jchelmowski@comcast.net

Message

From: Youngblood, Charlotte [Youngblood.Charlotte@epa.gov]
Sent: 8/21/2017 7:39:28 PM
To: Hammitt, Jennifer [Hammitt.Jennifer@epa.gov]
Subject: RE: EPA-HQ-2017-008256 Appeal letters dated July 18, 2017

Thanks for following up!

Charlotte Youngblood
Deputy Associate General Counsel
General Law Office
Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-0283
youngblood.charlotte@epa.gov

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Cc: Youngblood, Charlotte <Youngblood.Charlotte@epa.gov>; Blake, Wendy <Blake.Wendy@epa.gov>; Kelly, Lynn <Kelly.Lynn@epa.gov>
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Jennifer,

Attorney Client / Ex. 5
Deliberative Process / Ex. 5

Let me know if you have questions.

Thanks!

Charlotte Youngblood
Deputy Associate General Counsel
General Law Office
Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-0283
youngblood.charlotte@epa.gov

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Deliberative Process / Ex. 5

Attorney Client / Ex. 5

R

~~~~~  
**RICHARD L. ALBORES**

Associate Deputy General Counsel \* Office of General Counsel \* U.S. EPA \* 1200 Pennsylvania Avenue, NW \* MC2310A  
\* Washington, DC 20460 \* email: [albores.richard@epa.gov](mailto:albores.richard@epa.gov) \* phone: 202.564.7102 \* mobile: 202.809.8029

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**Cc:** Albores, Richard <[Albores.Richard@epa.gov](mailto:Albores.Richard@epa.gov)>; Packard, Elise <[Packard.Elise@epa.gov](mailto:Packard.Elise@epa.gov)>  
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**Kevin S. Minoli**  
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Office of General Counsel  
US Environmental Protection Agency  
Main Office Line: 202-564-8040

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**From:** Jim Chelmowski [<mailto:jchelmowski@comcast.net>]  
**Sent:** Tuesday, August 08, 2017 3:42 PM  
**To:** Gottesman, Larry <[Gottesman.Larry@epa.gov](mailto:Gottesman.Larry@epa.gov)>; Fine, Steven <[fine.steven@epa.gov](mailto:fine.steven@epa.gov)>; Pruitt, Scott <[Pruitt.Scott@epa.gov](mailto:Pruitt.Scott@epa.gov)>; Earle, Judy <[Earle.Judy@epa.gov](mailto:Earle.Judy@epa.gov)>; Minoli, Kevin <[Minoli.Kevin@epa.gov](mailto:Minoli.Kevin@epa.gov)>; FOIA HQ

[<FOIA\\_HQ@epa.gov>](mailto:FOIA_HQ@epa.gov); [privacy <privacy@epa.gov>](mailto:privacy@epa.gov)

**Cc:** [jchelmowski@comcast.net](mailto:jchelmowski@comcast.net); [Criminal.Division@usdoj.gov](mailto:Criminal.Division@usdoj.gov)

**Subject:** EPA-HQ-2017-008256 Appeal letters dated July 18, 2017

The EPA, Messrs. Gottesman, Fine, Minoli and Pruitt and Ms. Earle

All EPA recipients Messrs. Gottesman, Fine, Minoli & Pruitt and Ms. Earle please show consideration and confirm you read this email ASAP because I was denied my rights pursuant to 5 USC 552(a)(6)(i)(I) and corrected an apparent fraudulent appeal with my actual appeal.

As you are all aware the July 18, 2017 FOIA Appeal was never filed by the Requester (me) and the EPA did not investigate.

Also, the EPA refused to respond to my requested rights beginning July 25, 2017 pursuant to 5 USC 552(a)(6)(i)(I) the [requester's] right of such person to seek assistance from the FOIA Public Liaison of the agency.

Therefore, I am forced to replace the apparent fraudulent appeal which the EPA which refused to investigate with my actual FOIA Appeal of my FOIA/Privacy Act Response of EPA-HQ-2017-008256.

Find the attached the only FOIA Appeal I authorized for EPA-HQ-2017-008256 and updated FOIA online appeal record EPA-HQ-2017-009508.

James Chelmowski

[jchelmowski@comcast.net](mailto:jchelmowski@comcast.net)

**To:** Hammitt, Jennifer[Hammit.Jennifer@epa.gov]  
**Cc:** Gottesman, Larry[Gottesman.Larry@epa.gov]  
**From:** Schumacher, Wendy  
**Sent:** Tue 9/26/2017 1:25:28 PM  
**Subject:** Closed for other reasons 1 20 to 9 25 17.xls  
Closed for other reasons 1 20 to 9 25 17.xls

Jennifer,

Larry asked me to forward this report to you.

Please note that all of the David Henson requests are closed in the same manner.

If you need anything else please let me know.

Wendy  
*Wendy Schumacher, Ph.D., PMP*  
**Government Information Specialist**  
**Office of Environmental Information**  
**FOIA, Libraries & Accessibility Division**  
**(202) 566-2513**  
**email: schumacher.wendy@epa.gov**

|                    |                              |                                              |            |
|--------------------|------------------------------|----------------------------------------------|------------|
| EPA-HQ-2017-009703 | Request David Henson         | F.B.I. FEDS C.I!!!!!!!!!!!!                  | 07/22/2017 |
| EPA-R6-2017-009685 | Request SRich Jones          |                                              | 07/21/2017 |
| EPA-HQ-2017-009674 | Request David Henson         | F.B.I. FEDS C.I!!!!!!!!!!!!                  | 07/21/2017 |
| EPA-HQ-2017-009667 | Request David Henson         | F.B.I. FEDS C.I!!!!!!!!!!!!                  | 07/21/2017 |
| EPA-R4-2017-009658 | Request Grace N. Tyner       | Progressive Engineering & Construction, Inc. | 07/20/2017 |
| EPA-R5-2017-009656 | Request Scott M. Wasielewski | AKT Peerless                                 | 07/20/2017 |
| EPA-R8-2017-009644 | Request Bonnie Freeman       | FreemanGIS, Inc.                             | 07/20/2017 |
| EPA-R6-2017-009642 | Request Nick Surgey          |                                              | 07/20/2017 |
| EPA-HQ-2017-009632 | Request David Henson         | F.B.I. FEDS C.I!!!!!!!!!!!!                  | 07/20/2017 |
| EPA-R5-2017-009626 | Request Cindy Dabner         |                                              | 07/20/2017 |
| EPA-R6-2017-009624 | Request Victor Blackwell     | CNN                                          | 07/20/2017 |
| EPA-R5-2017-009622 | Request Rebecca Militello    | US Bureau Veritas                            | 07/20/2017 |
| EPA-HQ-2017-009609 | Request David Henson         | F.B.I. FEDS C.I!!!!!!!!!!!!                  | 07/19/2017 |
| EPA-HQ-2017-009569 | Request David Henson         | F.B.I. FEDS C.I!!!!!!!!!!!!                  | 07/19/2017 |
| EPA-HQ-2017-009571 | Request Benjamin Levitan     | Environmental Defense Fund                   | 07/19/2017 |
| EPA-HQ-2017-009568 | Request David Henson         | F.B.I. FEDS C.I!!!!!!!!!!!!                  | 07/18/2017 |
| EPA-HQ-2017-009557 | Request David Henson         | F.B.I. FEDS C.I!!!!!!!!!!!!                  | 07/18/2017 |
| EPA-HQ-2017-009552 | Request David Henson         | F.B.I. FEDS C.I!!!!!!!!!!!!                  | 07/18/2017 |
| EPA-HQ-2017-009545 | Request David Henson         | F.B.I. FEDS C.I!!!!!!!!!!!!                  | 07/18/2017 |
| EPA-HQ-2017-009531 | Request Paul C. DeLeo        | American Cleaning Institute                  | 07/18/2017 |
| EPA-HQ-2017-009522 | Request Craig Holman         | Public Citizen                               | 07/18/2017 |
| EPA-R5-2017-009521 | Request Christina Penna      | ISGS                                         | 07/18/2017 |
| EPA-HQ-2017-009507 | Request James Chelmowski     |                                              | 07/18/2017 |
| EPA-HQ-2017-009504 | Request David Henson         | F.B.I. FEDS C.I!!!!!!!!!!!!                  | 07/17/2017 |
| EPA-HQ-2017-009501 | Request David Henson         | F.B.I. FEDS C.I!!!!!!!!!!!!                  | 07/17/2017 |
| EPA-HQ-2017-009497 | Request David Henson         | F.B.I. FEDS C.I!!!!!!!!!!!!                  | 07/17/2017 |
| EPA-HQ-2017-009494 | Request David Henson         | F.B.I. FEDS C.I!!!!!!!!!!!!                  | 07/17/2017 |
| EPA-HQ-2017-009479 | Request Al Jasper            |                                              | 07/17/2017 |
| EPA-R5-2017-009476 | Request Erika L. Muse        | Gordon Rees                                  | 07/17/2017 |
| EPA-R5-2017-009473 | Request Daniel Petzold       | Arcadis                                      | 07/17/2017 |
| EPA-HQ-2017-009464 | Request David Henson         | F.B.I. FEDS C.I!!!!!!!!!!!!                  | 07/17/2017 |
| EPA-R2-2017-009455 | Request Lauren S. Hanna      |                                              | 07/17/2017 |
| EPA-HQ-2017-009443 | Request David Henson         | F.B.I. FEDS C.I!!!!!!!!!!!!                  | 07/17/2017 |
| EPA-HQ-2017-009442 | Request David Henson         | F.B.I. FEDS C.I!!!!!!!!!!!!                  | 07/17/2017 |
| EPA-HQ-2017-009439 | Request David Henson         | F.B.I. FEDS C.I!!!!!!!!!!!!                  | 07/16/2017 |
| EPA-HQ-2017-009436 | Request David Henson         | F.B.I. FEDS C.I!!!!!!!!!!!!                  | 07/16/2017 |
| EPA-HQ-2017-009433 | Request David Henson         | F.B.I. FEDS C.I!!!!!!!!!!!!                  | 07/15/2017 |

|            |                  |                  |     |            |            |        |
|------------|------------------|------------------|-----|------------|------------|--------|
| 07/24/2017 | Monica Lewis     | Monica Lewis     | No  | TBD        | 07/25/2017 | Closed |
| 07/21/2017 | Nancy Ho         | Nancy Ho         | No  | TBD        | 08/09/2017 | Closed |
| 07/21/2017 | Monica Lewis     | Monica Lewis     | No  | TBD        | 07/25/2017 | Closed |
| 07/21/2017 | Monica Lewis     | Monica Lewis     | No  | TBD        | 07/21/2017 | Closed |
| 07/20/2017 | Donna Robinson   | Donna Robinson   | Yes | 08/21/2017 | 08/29/2017 | Closed |
| 07/20/2017 | Jessica Wheatley | Jessica Wheatley | Yes | 08/18/2017 | 08/14/2017 | Closed |
| 07/20/2017 | Dayle Aldinger   | Dayle Aldinger   | Yes | 09/07/2017 | 08/30/2017 | Closed |
| 07/20/2017 | Nancy Ho         | Nancy Ho         | No  | TBD        | 08/04/2017 | Closed |
| 07/20/2017 | Monica Lewis     | Monica Lewis     | No  | TBD        | 07/24/2017 | Closed |
| 07/20/2017 | Jessica Wheatley | Jessica Wheatley | No  | TBD        | 08/01/2017 | Closed |
| 07/20/2017 | Nancy Ho         | Nancy Ho         | Yes | 08/17/2017 | 07/21/2017 | Closed |
| 07/20/2017 | Jessica Wheatley | Jessica Wheatley | Yes | 08/17/2017 | 08/14/2017 | Closed |
| 07/19/2017 | Monica Lewis     | Monica Lewis     | No  | TBD        | 07/24/2017 | Closed |
| 07/19/2017 | Monica Lewis     | Monica Lewis     | No  | TBD        | 07/19/2017 | Closed |
| 07/19/2017 | Jonathan Newton  | Jonathan Newton  | Yes | 09/01/2017 | 08/08/2017 | Closed |
| 07/19/2017 | Monica Lewis     | Monica Lewis     | No  | TBD        | 07/19/2017 | Closed |
| 07/18/2017 | Monica Lewis     | Monica Lewis     | No  | TBD        | 07/19/2017 | Closed |
| 07/18/2017 | Monica Lewis     | Monica Lewis     | No  | TBD        | 07/19/2017 | Closed |
| 07/18/2017 | Monica Lewis     | Monica Lewis     | No  | TBD        | 07/19/2017 | Closed |
| 07/18/2017 | Norman Adkins    | Norman Adkins    | Yes | 09/01/2017 | 08/28/2017 | Closed |
| 07/18/2017 | Monica Lewis     | Monica Lewis     | No  | TBD        | 07/20/2017 | Closed |
| 07/18/2017 | Jessica Wheatley | Jessica Wheatley | Yes | 08/15/2017 | 07/27/2017 | Closed |
| 07/18/2017 | Wendy Schumacher | Wendy Schumacher | Yes | 08/15/2017 | 08/10/2017 | Closed |
| 07/18/2017 | Monica Lewis     | Monica Lewis     | No  | TBD        | 07/18/2017 | Closed |
| 07/18/2017 | Monica Lewis     | Monica Lewis     | No  | TBD        | 07/18/2017 | Closed |
| 07/18/2017 | Monica Lewis     | Monica Lewis     | No  | TBD        | 07/18/2017 | Closed |
| 07/18/2017 | Monica Lewis     | Monica Lewis     | No  | TBD        | 07/18/2017 | Closed |
| 07/17/2017 | Wendy Schumacher | Wendy Schumacher | No  | TBD        | 07/25/2017 | Closed |
| 07/17/2017 | Jessica Wheatley | Jessica Wheatley | Yes | 08/15/2017 | 08/14/2017 | Closed |
| 07/17/2017 | Jessica Wheatley | Jessica Wheatley | Yes | 08/15/2017 | 08/09/2017 | Closed |
| 07/17/2017 | Monica Lewis     | Monica Lewis     | No  | TBD        | 07/18/2017 | Closed |
| 07/17/2017 | Wanda Calderon   | Wanda Calderon   | Yes | 08/14/2017 | 07/25/2017 | Closed |
| 07/17/2017 | Monica Lewis     | Monica Lewis     | No  | TBD        | 07/18/2017 | Closed |
| 07/17/2017 | Monica Lewis     | Monica Lewis     | No  | TBD        | 07/18/2017 | Closed |
| 07/17/2017 | Monica Lewis     | Monica Lewis     | No  | TBD        | 07/19/2017 | Closed |
| 07/17/2017 | Monica Lewis     | Monica Lewis     | No  | TBD        | 07/19/2017 | Closed |
| 07/17/2017 | Monica Lewis     | Monica Lewis     | No  | TBD        | 07/18/2017 | Closed |

Records not reasonably described  
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Fee-related reason  
Records not reasonably described  
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Records not reasonably described  
Improper FOIA request for other reason  
Request withdrawn  
Request withdrawn  
Records not reasonably described  
Request withdrawn  
Records not reasonably described  
Records not reasonably described  
Records not reasonably described  
Records not reasonably described  
Records not reasonably described

COMMENT, PLEASE. S.S. GOLD 526548789514487383895621487685859564144387328954148778965626154483784952. C.I.A. GOLDS;; 985378521  
 Requesting any and all relevant and adjacent documents, memorandum, digital and analog communications, phone records, invoices, PowerPoint presen  
 COMMENT, PLEASE. Super gold 95625847889562351324832451548786956515487589556215486768768859556215483274845. Goldenly golds;; 632  
 COMMENT, PLEASE. Super gold 9548378324951574875492135482443295261585785955261545878459562516484783274895651444378392. Golder  
 I am requesting a copy (preferably electronic) of one document: the successful FY2017 Brownfield community-wide assessment grant application submitt  
 I am requesting to review USEPA documentation pertaining to a National Priorities List site (known as the Rose Township Dump) located at 1065 Demod  
 I need to amend my request to include SYSTEM IDs and NAMES for source water protection areas (SWPAs) that intersect the data request area as well a  
 Please see the attached PDF file.

COMMENT, PLEASE. Super gold 95635234832483429578532632432458476245448789562154837832953246251213487321956215548. Goldenly gol  
 See attachment for the actual FOIA request. If you are uncertain of any question provided in the attachment, please contact me via email to clarify any qu  
 This is a supplement to EPA-R6-2017-009376. I am requesting a copy of the "DENKA Air Monitoring Summary Sheets," including all results at all monitor  
 Santmyer Oil located at 2990-3000 Old Airport Road in Wooster Ohio and various other facilities in Ohio

COMMENT, PLEASE. S.S. GOLD 74826359874852687889562154847837383293262421548217383295621554847832. C.I.A. GOLDS;; 948783285263;  
 COMMENT, PLEASE. S.S. GOLD 8264878956321328427849426158457888692661548574595564153283427834274883429426321587787786869656  
 Requesting records regarding statements by the Administrator of the U.S. Environmental Protection Agency.

COMMENT, PLEASE. Super gold 95348764724878738839561354821714956213548647247889562889289487381252248. Goldenly golds;; 449413987  
 COMMENT, PLEASE. Super gold 95487388395362315324837388395621544874884956241584498484748839329554. Goldenly golds;; 954878328329  
 COMMENT, PLEASE. S.S. GOLD 748526154878478839532621483789562515484748839564154874843743883951251348321798. C.I.A. GOLDS;; 561  
 COMMENT, PLEASE. S.S. GOLD 7852659789562484782783893293252139562548755956241543489544382837832. C.I.A. GOLDS;; 85485621487951  
 This is a request under the Freedom of Information Act for non-confidential copies of materials prepared or received by the U.S. Environmental Protection  
 Dear Sir or Madam, On behalf of Public Citizen, and pursuant to the Freedom of Information Act, 5 U.S.C. &sect; 552, I request: 1) Any and all communic  
 I am requesting of all technical documents for SEMS information from the Superfund Division, except legal or proprietary documents, that have already be  
 Provide for all FOIA EPA Headquarter requests received from January 1, 2017 to July 18, 2017 the following: 1) Date of FOIA Request, 2) Description of  
 COMMENT, PLEASE. Super gold 956254832783243959562365874884952632153287838395261215484783832956232154218731. Goldenly golds;; 95  
 COMMENT, PLEASE. S.S. GOLD 6254837328478876956715843758324395623153248738839621554874748389562315324847829137. C.I.A. GOLDS  
 COMMENT, PLEASE. Super gold 624956322415837824788821346245978123564844954624154894537829624154876788547548252448. Goldenly gc  
 COMMENT, PLEASE. Super gold 9583783329549414873832956244953365831959587389568251564841833182295321832484327432884329432624  
 TO WHOM IT MAY CONCERN This is an urgent request for information related to: Tracking Number : EPA-HQ-2017-004892 (requested by Mr. Bert Krag  
 Please be advised that I Spoke with Evette Jones who confirmed that we will not be charged again for the initial search for records. We will only be charg  
 Requesting RCRA files for LaSalle Steel Corporation at 1045 E. Main Street, Griffith, Indiana

COMMENT, PLEASE. S.S. GOLD 856254878489564342654878289563265487895464321547687585956256543827328495. C.I.A. GOLDS;; 52654843  
 I am submitting a FOIL request for 643 Millard Fillmore Place, East Aurora New York. The information we are seeking is the existence of any files or recor  
 COMMENT, PLEASE. Super gold 82637895625487839562154387383956326154874878338956214548728395621648. Goldenly golds;; 852634832462  
 Super gold 88931521438327291532187921558758495242543633156487432955283247953. Goldenly golds;; 483728243965436254483249561648474;  
 COMMENT, PLEASE. S.S. GOLD 6326262546256286783155287889562148787489456224832789562321548472878383956231481782144975963258  
 COMMENT, PLEASE. Super gold 95632654878895621454847487838395621548478278373895622131437. Goldenly golds;; 859263789265448748378  
 COMMENT, PLEASE. F.E.M.A. ;; M.P.: Universal mini-gun ossen yak eclipse operator immaculate'ized super gold 7452654878378389562498372182951

598783956241534827839562131321878795661658748395623325144832474987456  
stations, written reports, emails, letters to and from the public, letters to and from the press, communications with any other federal or local agencies  
654788395622113521837321832139256215348787857484378237823821395321623154857436  
nly golds;; 594878956251482378995565158758758956251565485789758595652525144873248897489563148373897218951  
ed to USEPA Region 4 by Columbus Consolidated Government, Georgia for \$300,000 (\$200,000 for hazardous substances and \$100,000 for petro  
e Road in Rose Township, Oakland County, Michigan. The USEPA ID Number for this site is MID980499842. Specifically, I am requesting to review  
as intersecting public water system wells and intakes. I've included a picture below to help explain. The SWPA is often much larger than the well oi  
ds;; 3625148795562321528373289523614484723895262514857328732893254624321548769965625143631432  
estation so that I can resubmit the questions in a clearer format.  
ing sites, for June 2017. It was submitted in July 2017. The documents are in reference to air quality tests in the vicinity of the Denka Performance E  
247438521621321532143218955625978495632456487352623487395512  
515438574358439556157. C.I.A. GOLDS;; 9543483274832478879626189874359261585348574356295148759627167483795624348789564315  
84312156425934859524873953367755848233566239623354342732843339235;  
5623215487218238625155485785748849461548578478383249264513248  
6114383484844956415384743289598234928522334167357562584489523577666524959621352;  
62315324837428342839436232451487768789626651582374372394325  
Agency ("EPA" or "Agency") staff, consultants and/or contractors pertinent to the EPA Microplastics Expert Workshop held on June 28-29, 2017 at  
ations—including but not limited to emails, letters, and faxes—to or from any staff of the Environmental Protection Agency from or to any consultant  
een screened by USEPA attorneys. Please include all releasable electronic documents pertaining to the following site only after 09/01/2016: USEPA  
FOIA Request, 3) Classification of the Request (Simple or Complex), and 4) Date Completion of the Request and/or Request Determination i.e. FOI  
483278328952621153483217321839621554847843783284943256234214823738217383218329  
;; 95623253484378342671587594556651545874848956663256654548738495264125487789434551643;  
lds;; 6534823748324329452615784274721324393495254894325632548231723932178321815548478438283728324158439562  
154383584358435615715854768459562324153241325482374832. Goldenly golds;; 9456321254328484394564515538737895651558327563213  
ges) dated 03/14/2017 I would like to request a hold on any action towards this request and would like to communicate with whomsoever is in charg  
ad for the Federal Records Center (FRC) documents pertaining to Nelson McCoy Pottery Company that were found.  
7438785395622354244328748395622515487687689556295154548738324944321564  
ds concerning any environmental violations, legal actions, permits, spills, hazardous or solid waste disposal/storage, etc. relating to the above refer  
4132534482734895672156877867659565854785945662516454843755898  
382981588786948643215674321775577825  
. C.I.A. GOLDS;; 62616161615487834895622115348327387889562515487489474384784943214482738932513184437438549353251427  
32954628956255487624544837322865326534283732  
5131348. ;;;;Okay.;;;



, including the United States Air Force, communications with other EPA regions, and any other related files referring to the Kirtland Air Force Base j

leum). The awarding of this grant was announced on May 31, 2017

/ documentation pertaining to site cleanup and historical and ongoing remedial activities undertaken by USEPA. Please contact me if you have any  
r intake point, so it could intersect the project area where the well or intake wouldn't. It's important to know about all the public water systems in the

Elastomer Ponchatrain Site in LaPlace, LA.

7888896625754395526431435487887957626

the Crystal City Marriott in Arlington, Virginia. Specifically, I am requesting planning documents, meeting documents including presentations given,  
at the following "Expert Network" firms: 1) Gerson Lehrman Group; 2) Primary Global Research; 3) Guidepoint Global LLC; 4) Coleman Research;  
\ #ILD980824015-Kerr-McGee (residential areas) in West Chicago, DuPage County, IL. Again I only need files for this USEPA number beginning afi  
A request with the FOIA identification EPA-HQ-2017-xxxxxx

i24934288432943256415439532623241325482178329325263215148783395632415648323124834953248743822743289324624351563215321E  
e of responding to it

enced property. The requested information will be used in the preparation of an environmental site assessment of the property. Your prompt attentio

et fuel spill, dating back until January 1, 1999. Please also forward a copy of this request to all other relevant EPA regions.

questions. Electronic access to records (e.g., FTP) is preferred, if possible.

project area so that they can be proactively protected through pipeline integrity management protocols (49 CFR 195.452, <https://www.law.cornell.edu>

the list of invitees, the list of participants and any pre-meeting and post-meeting communications with those invitees and participants pertinent to the  
or 5) DeMatteo Monness. 2) Any and all records concerning meetings—whether in-person, telephonic, video conferencing, or any other means—be  
ter 09/01/2016. Feel free to e-mail or call me with questions. Thank you.

214833128

on to this matter is greatly appreciated. Please see letter attached.

du/cfr/text/49/195.452)

3 meeting.

between any staff of the Food and Drug Administration and any consultant at the following "Expert Network" firms: 1) Gerson Lehrman Group; 2) Prim

ary Global Research; 3) Guidepoint Global LLC; 4) Coleman Research; or 5) DeMatteo Monness. If it is your position that responsive records exist

but that those records (or portions of those records) are exempt from disclosure, please identify the records that are being withheld and state the ba

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|                     |                               |                             |            |
|---------------------|-------------------------------|-----------------------------|------------|
| EPA-HQ-2017-005454  | Request Nicholas P. Surgey    |                             | 03/29/2017 |
| EPA-HQ-2017-005433  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/29/2017 |
| EPA-R9-2017-005432  | Request Simon T. Moore        | High School                 | 03/29/2017 |
| EPA-HQ-2017-005431  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/29/2017 |
| EPA-HQ-2017-005429  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/28/2017 |
| EPA-HQ-2017-005428  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/28/2017 |
| EPA-HQ-2017-005427  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/28/2017 |
| EPA-HQ-2017-005425  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/28/2017 |
| EPA-HQ-2017-005410  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/28/2017 |
| EPA-R6-2017-005398  | Request Brandon Lopez         |                             | 03/28/2017 |
| EPA-R10-2017-005395 | Request Emily Blakeway        |                             | 03/28/2017 |
| EPA-HQ-2017-005390  | Request James Chelmowski      |                             | 03/28/2017 |
| EPA-HQ-2017-005374  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/28/2017 |
| EPA-HQ-2017-005373  | Request Rollie Webb           | Mr.                         | 03/28/2017 |
| EPA-HQ-2017-005372  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/27/2017 |
| EPA-HQ-2017-005371  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/27/2017 |
| EPA-HQ-2017-005370  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/27/2017 |
| EPA-HQ-2017-005369  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/27/2017 |
| EPA-HQ-2017-005367  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/27/2017 |
| EPA-HQ-2017-005366  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/27/2017 |
| EPA-HQ-2017-005365  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/27/2017 |
| EPA-HQ-2017-005363  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/27/2017 |
| EPA-HQ-2017-005362  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/27/2017 |
| EPA-HQ-2017-005360  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/27/2017 |
| EPA-HQ-2017-005359  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/27/2017 |
| EPA-R10-2017-005358 | Request Emily Blakeway        |                             | 03/27/2017 |
| EPA-R5-2017-005343  | Request Thomas A. Davis       | Apex Companies              | 03/27/2017 |
| EPA-R2-2017-005335  | Request Marcel L. Lambert     |                             | 03/27/2017 |
| EPA-HQ-2017-005334  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/27/2017 |
| EPA-HQ-2017-005328  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/27/2017 |
| EPA-HQ-2017-005327  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/27/2017 |
| EPA-HQ-2017-005318  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/27/2017 |
| EPA-HQ-2017-005316  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/26/2017 |
| EPA-HQ-2017-005315  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/26/2017 |
| EPA-HQ-2017-005304  | Request Christopher M. Lahiff | McDermott Will & Emery LLP  | 03/26/2017 |
| EPA-R2-2017-005302  | Request Michelle McCarthy     | Coughlin Duffy LLP          | 03/26/2017 |
| EPA-HQ-2017-005300  | Request David Henson          | F.B.I. FEDS C.I!!!!!!!!!!!! | 03/26/2017 |

|            |                    |                    |     |            |            |        |
|------------|--------------------|--------------------|-----|------------|------------|--------|
| 03/29/2017 | Victor Farren      | Victor Farren      | No  | TBD        | 04/21/2017 | Closed |
| 03/29/2017 | Wendy Schumacher   | Wendy Schumacher   | No  | TBD        | 03/31/2017 | Closed |
| 03/29/2017 | Ivry Johnson       | Ivry Johnson       | No  | TBD        | 04/05/2017 | Closed |
| 03/29/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 03/31/2017 | Closed |
| 03/29/2017 | Wendy Schumacher   | Wendy Schumacher   | No  | TBD        | 03/31/2017 | Closed |
| 03/29/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 03/31/2017 | Closed |
| 03/29/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 03/31/2017 | Closed |
| 03/29/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 03/31/2017 | Closed |
| 03/28/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 03/31/2017 | Closed |
| 03/28/2017 | Nancy Ho           | Nancy Ho           | Yes | 04/25/2017 | 05/15/2017 | Closed |
| 03/28/2017 | Felicia Thomas     | Felicia Thomas     | Yes | 05/04/2017 | 04/25/2017 | Closed |
| 03/28/2017 | Mark Stilp         | Mark Stilp         | Yes | 06/16/2017 | 06/14/2017 | Closed |
| 03/28/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 03/31/2017 | Closed |
| 03/28/2017 | Earl Ingram        | Earl Ingram        | No  | TBD        | 05/03/2017 | Closed |
| 03/28/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 03/31/2017 | Closed |
| 03/28/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 03/31/2017 | Closed |
| 03/28/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 03/31/2017 | Closed |
| 03/28/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 04/03/2017 | Closed |
| 03/28/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 03/31/2017 | Closed |
| 03/28/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 03/31/2017 | Closed |
| 03/28/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 03/31/2017 | Closed |
| 03/28/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 03/31/2017 | Closed |
| 03/28/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 03/31/2017 | Closed |
| 03/28/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 03/31/2017 | Closed |
| 03/28/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 03/31/2017 | Closed |
| 03/28/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 03/31/2017 | Closed |
| 03/28/2017 | Camille Harper     | Camille Harper     | Yes | 06/09/2017 | 05/23/2017 | Closed |
| 03/27/2017 | Jessica Wheatley   | Jessica Wheatley   | Yes | 04/25/2017 | 04/07/2017 | Closed |
| 03/27/2017 | Wanda Calderon     | Wanda Calderon     | No  | TBD        | 06/02/2017 | Closed |
| 03/27/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 03/31/2017 | Closed |
| 03/27/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 03/31/2017 | Closed |
| 03/27/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 03/31/2017 | Closed |
| 03/27/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 04/03/2017 | Closed |
| 03/27/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 03/31/2017 | Closed |
| 03/27/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 03/31/2017 | Closed |
| 03/27/2017 | Earl Ingram        | Earl Ingram        | Yes | 04/25/2017 | 03/28/2017 | Closed |
| 03/27/2017 | Denise McRae       | Denise McRae       | Yes | 04/24/2017 | 08/03/2017 | Closed |
| 03/27/2017 | Larry F. Gottesman | Larry F. Gottesman | No  | TBD        | 03/31/2017 | Closed |

Records not reasonably described  
Records not reasonably described  
Improper FOIA request for other reason  
Records not reasonably described  
Records not reasonably described  
Records not reasonably described  
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Request withdrawn  
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Improper FOIA request for other reason  
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Request withdrawn  
Request withdrawn  
Records not reasonably described

Paper records, including but not limited to memos, position papers, policy analysis, legal briefs and other printed records that have been created or received.

COMMENT, PLEASE. S.S. GOLD 95621358737839542548773895564874773825. C.I.A. GOLDS;; 856254387734538935623785623548440355448737.

This email is a formal proposition by a high school student from Coachella Valley High School. It is not a newfound discovery, it is not a policy revision, it is not a new discovery.

COMMENT, PLEASE. S.S. GOLD 2548778953158374292515487789533548772815583273248. C.I.A. GOLDS;; 8562154877582956223574389592536.

COMMENT, PLEASE. Super gold 8562158779562386523154878534332153723573358386392394877351. Goldenly golds;; 7651765189425100000534.

COMMENT, PLEASE. S.S. GOLD 258778562154877489562158575480000023250000000584993777738956215000055487300455372956218. C.I.A. GOLDS;; 25438737234732484321564.

COMMENT, PLEASE. S.S. GOLD 254877895315235487478395156284737328491546487758582163427. C.I.A. GOLDS;; 25438737234732484321564.

COMMENT, PLEASE. S.S. GOLD 8567893534837373839535347789531548577584945156762153247. C.I.A. GOLDS;; 9527845203658485626785387.

COMMENT, PLEASE. S.S. GOLD 2587789562154877895623154877753235484778956215487758955315687955154. C.I.A. GOLDS;; 85625587783951.

Any previous Environmental Site Assessments held by the EPA for the former Brio Superfund Site located at 2501 Dixie Farm Rd, Houston, TX 77089.

I would like to view any compliance, enforcement, or hazardous waste documents for the following site: 552 Hendrickson (aka Henrickson) Dr Kalama, WA.

Full Description is uploaded Chelmoski Confirmation with EPA of April 5 2017 FOIA-Privacy Act Request Clarification 1) All emails, correspondence, etc.

COMMENT, PLEASE. Laser fantom gasoline butane kerosene lamps lanterns gemstone great gold 8595621548778956235487789562154.

I WAS THE LANDLORD FOR GUYNIN MYERS, SHE IS AN EMPLOYEE AT THE EPA-DC/MD OFFICE. SHE IS REFUSING TO PROVIDE HER NEW FIDELITY AND ETHICS STATEMENT.

COMMENT, PLEASE. S.S. GOLD 254877383956231254877585954152837378239522332145344873782953154483273742832. C.I.A. GOLDS;; 87452.

COMMENT, PLEASE. S.S. GOLD 256487789562358789562315487383953154878495415344875748935453. C.I.A. GOLDS;; 24587373829253624358.

COMMENT, PLEASE. S.S. GOLD 85255875525845445623594875615487789562544747843315587574531543837. C.I.A. GOLDS;; 855154877389531.

COMMENT, PLEASE. S.S. GOLD 25877895225388753154873953354483827374282941544847437438251342. C.I.A. GOLDS;; 235348247748493543.

COMMENT, PLEASE. S.S. GOLD 525878895625487789562351484773839536231548487758594562542345487758951534472832. C.I.A. GOLDS;; 88.

COMMENT, PLEASE. S.S. GOLD 2548773834295515775585951554845774585415647474384155487758552545987551545672254877839531544884.

COMMENT, PLEASE. S.S. GOLD 25875378325487735838756258789562548784956547483. C.I.A. GOLDS;; 258789562354837373383956315448474.

COMMENT, PLEASE. S.S. GOLD 852785625878395632356874784614564434775748454315643572. C.I.A. GOLDS;; 87333482534643234783441564.

COMMENT, PLEASE. S.S. GOLD 254877383925462234514877585595625154487748439543156344457437438434395156223734224. C.I.A. GOLDS;; 8525871895623548773.

COMMENT, PLEASE. S.S. GOLD 8562358795562254877825487789562354877895845632935628727856342. C.I.A. GOLDS;; 8525871895623548773.

COMMENT, PLEASE. S.S. GOLD 85625875652359856287895625483837738491564837. C.I.A. GOLDS;; 856235873785651505183838235637732437.

I would like to review the following file: King Co - First NE (Corliss Ave) LDFL N 165th & 1st Ave NE Seattle, WA Listed on: SEMS Archive

Good afternoon, Apex Companies, LLC is evaluating all units at the Southport and Indian Trail Plazas located at 6804 and 6320-6610 Green Bay Road, Kalamazoo, MI.

Under the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1 et seq., I am requesting an opportunity to inspect or obtain copies of public records that contain information regarding the above described units.

COMMENT, PLEASE. S.S. GOLD 65986526537859115454875231523548477389515237. C.I.A. GOLDS;; 315487738329564215458757859557456245.

COMMENT, PLEASE. Pontoon laser super gold 25874456215487748495. ;;;Okay;;;.

COMMENT, PLEASE. S.S. GOLD 52876535844523587476524889562354877895623548748956235483782952315487829523354827. C.I.A. GOLDS;; 852578565395363156483773893953621548473783.

COMMENT, PLEASE. S.S. GOLD 25487956237856254879562356483773395253. C.I.A. GOLDS;; 852578565395363156483773893953621548473783.

COMMENT, PLEASE. S.S. GOLD 25487895621548474849562315642374843259432516. C.I.A. GOLDS;; 315648373274895624156457474849515648.

COMMENT, PLEASE. S.S. GOLD 4526584520254156483783862354837. C.I.A. GOLDS;; 825649456356354875357454254831548373.

I request copies of any Notices of Arrival (EPA Form 3540-1) since 01/01/2011 for pesticides 87845-4, 89333-1, 89333-2, 89333-3 and 89333-4. The NOA's are located in the EPA's database.

Please provide a copy of the response to EPA's 104(e) Information Request submitted on or about Friday, March 24, 2017 by Thermo Fisher Scientific Inc.

COMMENT, PLEASE. S.S. GOLD 5236587456254873895513749413568237. C.I.A. GOLDS;; 32548774515353873964145687393524256444723.

ed since February 17, 2017 by EPA Administrator Scott Pruitt. Paper records, including but not limited to memos, position papers, policy analysis, le  
382f

s just a proposition which I hope is taken seriously and into much consideration. Please do not disregard this email because it is introduced with a l  
2862233254831524857748491f

87289500000003215287277738955553215222223399322195f

OLDs;; 5254877383956231548247283295622524827328239562222415448848774849562323953963525415458775855

48575754859551464833747748493515264324873742

7382945154857758595245484775843156427342

6221548277483956221256477585956265625354689489576765815364847f

A Listed on: RCRA NonGen/NLR, FINDS, ECHO

tc. regarding me or anything related me between May 1, 2016 to May 30, 2017 (current date of search) date of scope. EPA was required directives

ORWARDING ADDRESS. SEE ATTACH APPLICATION SHE SIGNED FOR THE RELEASE OF THE INFORMATION TO BE GIVEN TO HER LAM  
3332354383247738329562315448747484395632215344877448493562235283477348539232f

7465423451587484956424234154484774849531458394

544874748439531558757585494515445877544951528373748832415348427734282. : ; S.S. GOLD 154877383931245325474849356325548577  
155484377484395453475464323548245434757438551364857734

77839562315342847732832495342643215448857575859454154887744839451534834773482341544884377843

77483431435543857744389435154857758854515325487383953154837738322415324483274784415. C.I.A. GOLDS;; 85654877839532624132  
37433849555154487457584845343544843

6545888495621548453784383156487744831556

; 25487373283249562321435632448324774844953315632324773483294541526343884775854591556544577232

8563253438384735862548837748395624154837473839541562

384945154643732f

Genosha, Wisconsin 53142 for a Property Condition Assessment. We kindly ask your office to provide any information and documentation of code co  
it pertain to Environmental Protection.

448477389562423548f

2354877389562154878389562334877389562315487389935620315487748956237483343853985329821584f

4952f

3794358431565432

As may have been filed by: Agromarketing, Agria Canada and/or Tacoma Ag. Thank you

c. and/or Apogent Transition Corp. relating to the Standard Chlorine Chemical Co. Inc. Site in Kearny, New Jersey. It is believed this response was :

egal briefs and other printed records that have been created or received since February 17, 2017 by Michelle Hale in the Office of the Administrator  
ack of ethos. Considering we live in a democracy and promote the convection of each individual's perceptions, I do not see it fit to neglect the viewp

including but not limited to compliance with the OMB and NARA released M-12-18, Managing Government Records Directive on August 24, 2012 (ε  
NDLORD. I NEED TO PROVIDE LEGAL DOCUMENTS TO HER CONCERNING THE MOVEOUT ASAP. REQUEST THAT I BE GIVEN A FORWA  
'548549562451548767869566515455454574574845954562158773823415238477382536214584737438439154847743843515434537. C.I.A. GC  
544384274378494543515383284347327438342324153587373833154448437748515827341535284774841253548734256413254837474951545

ompliance, certificates of occupancy, building permits, or construction drawings you may have for the property. In addition, please provide any inforr

sent to Alison Hess, Remedial Project Manager for the Standard Chlorine Chemical Co. Inc. Superfund Site, Emergency and Remedial Response C

of the EPA. Paper records, including but not limited to memos, position papers, policy analysis, legal briefs and other printed records that have been  
points of those who do not have economically, politically, or environmentally-affiliated established backgrounds. With President Trump's newest action

all archives and required directives for deletion of any record in the EPA system of records are considered responsive for FOIA and/or Privacy Act re  
RDING ADDRESS FOR THIS EMPLOYEE PER SIGNED APPLICATION. ROLLIE WEBB/LANDLORD

YLD\$;; 2354837738329562354874955625154487438395452335448430045443847374384956423534847743893562433335448584385473743858

82773421532448747482135243442898837738342154857;

nation regarding underground or above ground storage tanks, spills, or calls for emergency response at the property. Please provide me with an error

Division and Krista Yacovone, Assistant Regional Counsel, Office of Regional Counsel

n created or received since January 20, 2017 by EPA Acting Deputy Administrator Mike Flynn. Paper records, including but not limited to memos, p  
n to &quot;nullify President Barack Obama's climate change efforts&quot; and implement orders to &quot;revive the coal industry,&quot; I have bee

responsive records) from May 1, 2016 to current date of Search (May 30, 2017 or later) – Date Scope. To HELP the EPA recall and produce ALL Priv

34345543245348474734488434323232354235284732. ;;;; ;;;; ;;;; ;;;; S.S. GOLD 15877383952462323323154544483774843439562454387474839

mail address or phone number of a contact if your office does not have this information, but you know where it can be found. Please reference the Si



osition papers, policy analysis, legal briefs and other printed records that have been created or received since January 20, 2017 by EPA Deputy Ge  
in overcome with ultimate concern over the environment but I have also kept the economy in strong consideration. Donald Trump's main motive to i

Privacy Act/FOIA Responsive Records: There is correspondence (email, letters, memos, phone logs, etc.) regarding a Court Subpoena in 2016 the EP

543624334323445348577438493485436245371454348737484935154375844384395154538774843834515453438778395623152832774832954

te Name "Southport and Indian Trail Plazas" in all correspondence regarding this project. Feel free to email or reach me at any of the numbers below

neral Counsel Justin Schwab. To the extent that these paper records are not available electronically, please scan and provide electronic copies. The purpose of such environmentally-neglectful orders is to increase job opportunities in the coal industry. To refute his argument by

A never responded or complied and the EPA had communication with my EPA FOIAonline (EPA-HQ-2017-5390, EPA-HQ-2016-9708) Of course, an

.3215342732. C.I.A. GOLDS;; 258795625548778953622415368778956159877776877956276157687677859854451655444847473484955435435

w should you have any questions or comments.

ly other communicatio

52435514565547748439564231558437743845954365154354387474384395943554364524383774385945

Message

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**From:** Albright, Scott [Albright.Scott@epa.gov]  
**Sent:** 7/18/2018 6:29:59 PM  
**To:** Blake, Wendy [Blake.Wendy@epa.gov]  
**CC:** Miller, Kevin [Miller.Kevin@epa.gov]; Hammitt, Jennifer [Hammitt.Jennifer@epa.gov]; Youngblood, Charlotte [Youngblood.Charlotte@epa.gov]; Nguyen, Quoc [Nguyen.Quoc@epa.gov]  
**Subject:** RE: United States Securities And Exchange Commission et al v. Ustain et al., US DIS ILND 1:18cv4899

# Deliberative Process / Ex. 5

## Attorney Client / Ex. 5

Thanks,

Scott Albright  
U.S. EPA  
Office of General Counsel  
Intellectual Property Law &  
Information Law practice groups  
(202) 564-2884

---

**From:** Blake, Wendy  
**Sent:** Wednesday, July 18, 2018 2:05 PM  
**To:** Albright, Scott <Albright.Scott@epa.gov>  
**Cc:** Miller, Kevin <Miller.Kevin@epa.gov>; Hammitt, Jennifer <Hammitt.Jennifer@epa.gov>; Youngblood, Charlotte <Youngblood.Charlotte@epa.gov>  
**Subject:** FW: United States Securities And Exchange Commission et al v. Ustain et al., US DIS ILND 1:18cv4899

## Attorney Client / Ex. 5

### Deliberative Process / Ex. 5

Wendy

Wendy L. Blake  
Associate General Counsel  
General Law Office  
Office of General Counsel  
U.S. Environmental Protection Agency  
phone: (202) 564-1821  
fax: (202) 564-5433

---

**From:** Turley, Jennifer  
**Sent:** Wednesday, July 18, 2018 2:01 PM

**To:** Blake, Wendy <[Blake.Wendy@epa.gov](mailto:Blake.Wendy@epa.gov)>; Youngblood, Charlotte <[Youngblood.Charlotte@epa.gov](mailto:Youngblood.Charlotte@epa.gov)>; Miller, Kevin <[Miller.Kevin@epa.gov](mailto:Miller.Kevin@epa.gov)>

**Subject:** United States Securities And Exchange Commission et al v. Ustain et al., US DIS ILND 1:18cv4899

**To:** Hammitt, Jennifer[[Hammitt.Jennifer@epa.gov](mailto:Hammitt.Jennifer@epa.gov)]  
**From:** Gottesman, Larry  
**Sent:** Mon 9/25/2017 7:36:35 PM  
**Subject:** withdrawn 9-25-17.xls  
[withdrawn 9-25-17.xls](#)

|                     |                            |
|---------------------|----------------------------|
| EPA-R4-2017-006846  | Request Chris Nidel        |
| EPA-R3-2017-006814  | Request Jason Kacamburas   |
| EPA-R10-2017-006792 | Request Zack S. Larson     |
| EPA-R8-2017-006693  | Request Roman Barczynski   |
| EPA-R2-2017-006647  | Request Danielle D'Altrui  |
| EPA-HQ-2017-006560  | Request sunday eme         |
| EPA-R6-2017-006514  | Request Joshua T. Freeman  |
| EPA-R3-2017-006500  | Request Alyssa Schell      |
| EPA-R4-2017-006458  | Request Mark LaRue         |
| EPA-R6-2017-006453  | Request Hattie B. Hardiman |
| EPA-R3-2017-006452  | Request Scott R. Wolfe     |
| EPA-R4-2017-006409  | Request Molly Durrill      |
| EPA-R3-2017-006319  | Request Sara Fernandez     |
| EPA-R1-2017-006249  | Request Marton Orosz       |
| EPA-HQ-2017-006238  | Request sunday eme         |
| EPA-R5-2017-006230  | Request John Fenn          |
| EPA-HQ-2017-006194  | Request David Westbrook    |
| EPA-R3-2017-006159  | Request Bruce Thomas       |
| EPA-R3-2017-006069  | Request Sara Fernandez     |
| EPA-R2-2017-005835  | Request michael babcock    |
| EPA-R6-2017-005735  | Request Jenna Plymell      |
| EPA-R6-2017-005398  | Request Brandon Lopez      |
| EPA-R10-2017-005395 | Request Emily Blakeway     |
| EPA-HQ-2017-005390  | Request James Chelmowski   |
| EPA-R10-2017-005358 | Request Emily Blakeway     |
| EPA-HQ-2017-005240  | Request Jarrod Sharp       |
| EPA-HQ-2017-005181  | Request Josh Loewenstein   |
| EPA-R10-2017-005164 | Request Emily Blakeway     |
| EPA-R5-2017-005107  | Request Emily Steinberg    |
| EPA-R10-2017-005014 | Request Marisa Ordonia     |
| EPA-HQ-2017-005009  | Request Nicholas P. Surgey |
| EPA-HQ-2017-004937  | Request Margaret Townsend  |
| EPA-HQ-2017-004889  | Request Beryl Lipton       |
| EPA-HQ-2017-004827  | Request David Westbrook    |
| EPA-R10-2017-004820 | Request Mark P. Kerr       |
| EPA-R6-2017-004803  | Request David Westbrook    |
| EPA-R10-2017-004696 | Request lisa e. mischenko  |
| EPA-R3-2017-004664  | Request Kyle Strumfels     |
| EPA-R3-2017-004663  | Request Kyle Strumfels     |
| EPA-HQ-2017-004645  | Request Jonah Sutton-Morse |
| EPA-HQ-2017-004516  | Request Andrew L. Lee      |
| EPA-R5-2017-004496  | Request Melissa Sims       |
| EPA-R6-2017-004471  | Request Juan C. Pedraza    |
| EPA-R10-2017-004433 | Request McClure Tosch      |
| EPA-R5-2017-004160  | Request Cindy Dabner       |
| EPA-R3-2017-004156  | Request Michael J. Sheehan |
| EPA-HQ-2017-004120  | Request Catherine Riiska   |
| EPA-R9-2017-004071  | Request Kristine Savona    |
| EPA-R8-2017-004025  | Request Mandi L. Dodd      |
| EPA-R6-2017-004024  | Request Mandi L. Dodd      |
| EPA-R5-2017-004022  | Request Mandi L. Dodd      |

|            |            |
|------------|------------|
| 05/03/2017 | 05/04/2017 |
| 05/03/2017 | 05/03/2017 |
| 05/02/2017 | 05/02/2017 |
| 04/29/2017 | 05/01/2017 |
| 04/27/2017 | 04/28/2017 |
| 04/25/2017 | 04/25/2017 |
| 04/24/2017 | 04/25/2017 |
| 04/24/2017 | 04/24/2017 |
| 04/23/2017 | 04/24/2017 |
| 04/23/2017 | 04/24/2017 |
| 04/23/2017 | 04/24/2017 |
| 04/21/2017 | 04/21/2017 |
| 04/19/2017 | 04/19/2017 |
| 04/18/2017 | 04/18/2017 |
| 04/18/2017 | 04/18/2017 |
| 04/18/2017 | 04/18/2017 |
| 04/17/2017 | 04/17/2017 |
| 04/14/2017 | 04/17/2017 |
| 04/12/2017 | 04/12/2017 |
| 04/06/2017 | 04/07/2017 |
| 04/04/2017 | 04/05/2017 |
| 03/28/2017 | 03/28/2017 |
| 03/28/2017 | 03/28/2017 |
| 03/28/2017 | 03/28/2017 |
| 03/27/2017 | 03/28/2017 |
| 03/23/2017 | 03/24/2017 |
| 03/22/2017 | 03/22/2017 |
| 03/22/2017 | 03/22/2017 |
| 03/20/2017 | 03/21/2017 |
| 03/16/2017 | 03/16/2017 |
| 03/16/2017 | 03/16/2017 |
| 03/15/2017 | 03/15/2017 |
| 03/14/2017 | 03/14/2017 |
| 03/13/2017 | 03/13/2017 |
| 03/11/2017 | 03/13/2017 |
| 03/10/2017 | 03/10/2017 |
| 03/08/2017 | 03/08/2017 |
| 03/07/2017 | 03/07/2017 |
| 03/07/2017 | 03/07/2017 |
| 03/07/2017 | 03/07/2017 |
| 03/03/2017 | 03/03/2017 |
| 03/02/2017 | 03/03/2017 |
| 03/02/2017 | 03/02/2017 |
| 03/01/2017 | 03/01/2017 |
| 02/22/2017 | 02/22/2017 |
| 02/21/2017 | 02/22/2017 |
| 02/20/2017 | 02/21/2017 |
| 02/17/2017 | 02/17/2017 |
| 02/16/2017 | 02/16/2017 |
| 02/16/2017 | 02/16/2017 |
| 02/16/2017 | 02/16/2017 |



|                           |                           |     |            |            |
|---------------------------|---------------------------|-----|------------|------------|
| Gayla Mendez              | Gayla Mendez              | Yes | 06/02/2017 | 08/07/2017 |
| Rita Tate                 | Rita Tate                 | Yes | 06/02/2017 | 05/18/2017 |
| Susan Haas                | Susan Haas                | No  | TBD        | 05/12/2017 |
| Adrienne Rivera           | Adrienne Rivera           | Yes | 05/31/2017 | 05/17/2017 |
| Wanda Calderon            | Wanda Calderon            | Yes | 05/25/2017 | 05/03/2017 |
| Jannette Stewart          | Jannette Stewart          | Yes | 05/25/2017 | 06/05/2017 |
| Nancy Ho                  | Nancy Ho                  | No  | TBD        | 05/02/2017 |
| Rita Tate                 | Rita Tate                 | Yes | 05/24/2017 | 05/12/2017 |
| Gwendolyn Woodard-Burrell | Gwendolyn Woodard-Burrell | No  | TBD        | 04/24/2017 |
| Nancy Ho                  | Nancy Ho                  | No  | TBD        | 04/28/2017 |
| Rita Tate                 | Rita Tate                 | Yes | 05/22/2017 | 05/25/2017 |
| Gayla Mendez              | Gayla Mendez              | Yes | 05/19/2017 | 05/08/2017 |
| Rita Tate                 | Rita Tate                 | Yes | 05/17/2017 | 05/18/2017 |
| Cristeen Schena           | Cristeen Schena           | Yes | 05/22/2017 | 05/16/2017 |
| Jannette Stewart          | Jannette Stewart          | Yes | 05/16/2017 | 05/01/2017 |
| Jessica Wheatley          | Jessica Wheatley          | Yes | 05/16/2017 | 05/11/2017 |
| Wendy Schumacher          | Wendy Schumacher          | No  | TBD        | 04/18/2017 |
| Rita Tate                 | Rita Tate                 | No  | TBD        | 05/08/2017 |
| Rita Tate                 | Rita Tate                 | Yes | 05/17/2017 | 06/28/2017 |
| Wanda Calderon            | Wanda Calderon            | No  | TBD        | 05/03/2017 |
| Shirley Langley           | Shirley Langley           | Yes | 05/03/2017 | 04/21/2017 |
| Nancy Ho                  | Nancy Ho                  | Yes | 04/25/2017 | 05/15/2017 |
| Felicia Thomas            | Felicia Thomas            | Yes | 05/04/2017 | 04/25/2017 |
| Mark Stilp                | Mark Stilp                | Yes | 06/16/2017 | 06/14/2017 |
| Camille Harper            | Camille Harper            | Yes | 06/09/2017 | 05/23/2017 |
| Linda F. Person           | Linda F. Person           | No  | TBD        | 04/04/2017 |
| Loreto Tillery            | Loreto Tillery            | Yes | 04/20/2017 | 06/30/2017 |
| Felicia Thomas            | Felicia Thomas            | Yes | 05/03/2017 | 04/25/2017 |
| Jessica Wheatley          | Jessica Wheatley          | Yes | 07/28/2017 | 07/11/2017 |
| Felicia Thomas            | Felicia Thomas            | Yes | 04/28/2017 | 04/27/2017 |
| Victor Farren             | Victor Farren             | No  | TBD        | 04/05/2017 |
| Larry F. Gottesman        | Larry F. Gottesman        | No  | TBD        | 03/16/2017 |
| Lynn E. Kelly             | Lynn E. Kelly             | Yes | 05/23/2017 | 05/11/2017 |
| Margaret Gerardin         | Margaret Gerardin         | Yes | 04/10/2017 | 04/18/2017 |
| Susan Haas                | Susan Haas                | No  | TBD        | 03/22/2017 |
| Nancy Ho                  | Nancy Ho                  | No  | TBD        | 03/21/2017 |
| Susan Haas                | Susan Haas                | Yes | 04/05/2017 | 03/08/2017 |
| Rita Tate                 | Rita Tate                 | Yes | 04/13/2017 | 05/01/2017 |
| Rita Tate                 | Rita Tate                 | Yes | 04/13/2017 | 04/28/2017 |
| Tiffany Purifoy           | Tiffany Purifoy           | Yes | 04/05/2017 | 03/21/2017 |
| Cassandra Barnes          | Cassandra Barnes          | Yes | 03/31/2017 | 09/21/2017 |
| Jessica Wheatley          | Jessica Wheatley          | Yes | 03/31/2017 | 03/23/2017 |
| Nancy Ho                  | Nancy Ho                  | No  | TBD        | 03/08/2017 |
| Camille Harper            | Camille Harper            | Yes | 07/07/2017 | 04/25/2017 |
| Jessica Wheatley          | Jessica Wheatley          | Yes | 04/12/2017 | 03/23/2017 |
| Rita Tate                 | Rita Tate                 | Yes | 03/22/2017 | 02/22/2017 |
| Candace White             | Candace White             | No  | TBD        | 04/20/2017 |
| R9FOIAOffice FOIA Office  | R9FOIAOffice FOIA Office  | No  | TBD        | 02/17/2017 |
| Nawodit Gautam            | Nawodit Gautam            | Yes | 03/17/2017 | 02/17/2017 |
| Nancy Ho                  | Nancy Ho                  | No  | TBD        | 02/16/2017 |
| David Hoff                | David Hoff                | No  | TBD        | 02/17/2017 |

[illegible]

Requesting copies of any and all documents, emails, maps, memos or any other documentation, whether hard cc  
Please make reference to the attached document (Potomac Yard Engineering Evaluation/Cost Analysis, page 74  
I would like to know if your agency has a small business federal contractor database. If so, I'd like the website/url  
I would like to request climate change data for Wyoming from 2008 through 2016.

Site Address: 200 S Oyster Bay Road, Syosset, NY 11791 (Mobil/Cumberland Farms gas station); All environme  
I am requesting Fact Finder report used as the basis for the decision on my EPA Order 4711 (bullying and harass  
I'm inquiring to see if the following permits have been submitted and if possible an update on their progress by eit  
All files and reports related to the NGK Metals Site located in Temple, PA. Address is 150 Tuckerton Road, Temp  
Please provide all requests from EPA Region 4 employees seeking outside (non-agency employment) work requ  
Safety of air In side building

Records pertaining to the ALLEGHENY COUNTY SANITARY AUTHORITY, 3300 Preble Ave, Pittsburgh, Pa 152  
NPDES CAFO/CFO permits issued for Poultry (Broilers, Layers, Pullets, and Turkeys) by Operation name for 201  
I am requesting information on the projects being funded through the EPA in Virginia, USA during the year 2016.  
Hello: I am writing to you concerning my FOIA request pertaining to the Hungarian born American painter Gyorgy  
I am requesting a copy of the EPA Order 4711 Fact finding report [...]

Regarding Dutch Boy Superfund Site ID # ILD980265797. I am looking for information regarding the completion c  
There is a need for access to the EPA RMP database to help accomplish an Air Force required TIC/TIM Vulnerab  
Requesting records that verify the EPA classification of intermediate level disinfectant for Thymol; data possibly p  
Dear Larry Gottesman, Under the Virginia Freedom of Information Act, &sect;2.2-3704 et seq., I am requesting at  
I would like to please have UCMR3 Well Testing results for Moorestown Township, New Jersey Hartford and King  
Files regarding the Superfund Site located at 9334 Canniff Street, Houston, Texas 77017 - Geneva Industries/Fu  
Any previous Environmental Site Assessments held by the EPA for the former Brio Superfund Site located at 250  
I would like to view any compliance, enforcement, or hazardous waste documents for the following site: 552 Henc  
Full Description is uploaded Chelmowski Confirmation with EPA of April 5 2017 FOIA-Privacy Act Request Clarifi  
I would like to review the following file: King Co - First NE (Corliss Ave) LDFL N 165th & 1st Ave NE Seattle,  
Pursuant to FOIA, please provide any and all e-mails sent and or received by HQ EPA personnel that contain the  
Pursuant to the Freedom of Information Act, 5 U.S.C. &sect;552 et seq. ("FOIA"), I request copies of all documen  
I would like to view any compliance, enforcement, or hazardous waste documents for the following site: Stemilt O  
My firm represents AIG Specialty Insurance Company ("ASIC") in connection with a lawsuit filed against it by I. Sc  
Certain documents related to the State of Washington's Water Quality Standards. Please see attached FOIA req  
We are formally requesting all records created, edited or otherwise transmitted between January 20, 2017 and M  
[A]ll correspondence, including but not limited to, all letters, emails, text messages, instant messages, voicemails  
Requesting any available log of appeals submitted to this agency or the agency tasked with processing Freedom  
Requesting access to the National RMP non-Offsite Consequence Analysis (non-OCA) Database. As a Bioenviro  
Reference: Consent Decree, around 2012, EPA, Dawn Mining Company LLC, and Newmont USA Does the Fede  
Requesting access to the National RMP non-Offsite Consequence Analysis (non-OCA) Database. As a Bioenviro  
Address of property we are interested in is 2101 Burwell Place Bremerton, WA 98383 Property Owners: Frick N F  
Looking to review all files associated with CERCLIS ID PAD980692776, Kennett Square Junkyard/NOZNESKY J  
Looking to review all files associated with CERCLIS ID PAD107214116, NVF facility in Kennett Square, Pennsylv  
On March 7, 2017, the EPA published to the Federal Register, item FRL-9959-96-OAR, a Withdrawal of Obligat  
Records relating to the Notice of Violation of Renewable Fuel Standards, File Number MSEB #8329, for Triton Er  
Kindly provide me with all financial affidavits, financial documents provided by Velsicol Chemical and True Specie  
To fix my legal status.

The Confederated Tribes and Bands of the Yakama Nation is requesting access to or electronic copies of the doc  
Please see the attachemnt for specific information requested under the FOIA concerning the 2016 USEPA Regio  
We are hereby requesting records pertaining to asbestos litigation currently pending in various locations. Kindly p  
All memos and communications, in written and electronic formats, of policies and/or procedures of public release  
36050 Pourroy Avenue Temecula, CA 92563 Dear Sir/Madam: We would like to request any information your offi  
I would like to make a request for the unpublished information from the EPA's database of W.R. Grace shipping ir  
I would like to make a request for the unpublished information from the EPA's database of W.R. Grace shipping ir  
I would like to make a request for the unpublished information from the EPA's database of W.R. Grace shipping ir

copy or electronic, relating to the investigation of radiation, gamma radiation, radon, Radium 226, NORM (June 19, 1996). Specifically section 7.2 (which is found on page 102 of 214 of the PDF). This section address, as well as any instructions necessary to register / log-in. This information may be submitted t

ntal reports, data, correspondences and inventory records related to Underground Injection Control; Tr  
sment complaint). The affected person is Sunday Eme. Obtaining the fact finders report would be cruci  
her Trinity consultants or MMEX resources corp. the requisite air quality environmental authorisations  
le PA 19560 (EPA ID PAD044540136). More location information found at: <https://www.epa.gov/hwco>  
ests submitted to EPA Region 4 Ethics panel in the last 5 years. This would include all requests, appro

:33. Specifically, any violations/fines with regards to their National Pollutant Discharge Elimination Sys  
16 and January-present 2017 for Kentucky. I would prefer if the document(s) is/are sent electronically t  
The information needed is the amount of money given to the projects.

Kepes (1906-2001), who received his US citizenship in 1956. Please also note than in some records

of the remediation of lead contaminated soil from properties and lots on S Union Ave between W119-W  
ility Assessment for Barksdale Air Force Base. Any information obtained from the database will be cor  
ublished 2010 - 2013 if that helps.

n opportunity to inspect or obtain copies of public records of the projects the EPA has underway in the  
gshighway Water Treatment Plants. The raw water well testing and all UCMR3 information and EPA cc  
hrmann Energy Specifically I would like recent monitoring well data, reports 2013 and later, and any in  
1 Dixie Farm Rd, Houston, TX 77089.

Drickson (aka Henrickson) Dr Kalama, WA Listed on: RCRA NonGen/NLR, FINDS, ECHO

cation 1) All emails, correspondence, etc. regarding me or anything related me between May 1, 2016  
WA Listed on: SEMS Archive

word 'Signal' as it relates to the encrypted messaging application sent or received since 1 November  
ts outlined in detail below: • Any direct correspondence, including electronic correspondence, to your a  
lds Station/Stemilt Growers Olds Station 2/Stemilt Growers, Inc./Stemilt Growers 1 Warehouse Rd and  
chumann & Co. LLC ("I. Schumann") in the United States District Court for Northern District of Oh  
est letter.

arch 16, 2017, by then EPA employee David Schnare. It was reported in the media on March 16, 2017  
, and phone logs for any phones utilized by the new EPA Administrator Scott Pruitt ("Mr. Pruitt") from a  
of Information Act appeals for this division. Please provide such logs for the period from January 1, 20  
nmental Engineering Tech at Barksdale AFB, my job is to review this years TIC/TIM assessment. The  
ral Government cover any costs, directly or indirectly, for the removal, transportation, and processing  
nmental Engineering Tech at Barksdale AFB, my job is to review this years TIC/TIM assessment. The  
Track Holdings LLC We are considering a future purchase of this property. We have been advised that  
UNK YARDS, in Kennett Square, Pennsylvania; All EPA files I have seen indicate that the site is at: C  
ania; Site address is 400 Mulberry Street, Kennett Square, PA 19348

ion To Submit Information. I'd like a copy of the initial request and responses and objections received,  
ergy LLC, issued by the EPA on February 15, 2017 (the "NOV"), including without limitatio  
alty to the EPA which supported its position in the 2002 bankruptcy settlement agreement with the EPA

uments/files contained in the, "PRP Information Summary" folder that is listed as section 12.2.4 of the  
n 5 Job Fair Reassignment

rovide any and all records in your possession concerning asbestos studies, asbestos exposure, air qu  
of information and public reporting, and public outreach programs and policies, including but not limite  
ce has regarding any environmental documents, underground storage tanks (USTs) or hazardous mat  
voices dated 1964-1995. I am willing to pay more if needed.

voices dated 1964-1995. I am willing to pay more if needed.

voices dated 1964-1995. I am willing to pay more if needed.

1, TENORM, or any other radiation of any type on or around former phosphate mines in the state of Florida details out the annual ground water monitoring. The 3rd paragraph makes reference to a report. It states that the report is available to me electronically via email.

These files are NOT available online via MyPropertySearch (see attached).  
 al in determining why punitive actions was taken against me the affected person, contrary to what is se  
 to initiate construction of the refinery, including the New Source Review Prevention of Significant Dete  
 rrectiveactionsites/hazardous-waste-cleanup-ngk-metals-reading-pennsylvania If you have any questio  
 nals, and denials

tem (NPDES) Permit, including their failure to renew the permit.  
to my email.

his name might be misspelled like Gyorgy Keeper. His name: KEPES, Gyorgy The city/location he live

/120 St. These properties were included in the boundaries of remediation as identified in the EPA Fact considered sensitive (at a minimum, will be managed/labeled as For Official Use Only (FOUO) informatio

state of Virginia. Specifically the projects taken on and managed within the last 5 years (2013 - 2017), correspondence to Moorestown related to that testing and information pertaining to offsite contamination.

to May 30, 2017 (current date of search) date of scope. EPA was required directives including but no

2016 to the present.

agency from or on behalf of Congressman Fred Upton (MI-6) between January 2011- present. Direct call to 3135 Warehouse Rd Wenatchee, WA Listed on: RMP, ICIS, ECHO, RCRA NonGen/NLR Thanks! (Case No. 1:16-cv-01079) ("the lawsuit"). The lawsuit relates to the U.S. EPA Region 5's investigation

quoting Mr. Schnare, that he has resigned his position at the EPA. See attached letter for more detail. All agency and EPA servers, cloud portals, secure websites, computers, tablets, smart phones will be wiped by 15 through December 31, 2016.

database will be very helpful and used to assess the Toxic Industrial Materials/Chemicals that surround the Alternative Feed Materials removed from the Midnite Mine facility that are processed at the Whit database will be very helpful and used to assess the Toxic Industrial Materials/Chemicals that surround the property has undergone an analysis and is currently awaiting a letter from the EPA indicating &quot; OFF RTE 1, KENNETT SQUARE, 19348

preferably in electronic form. Specifically 1 - The Initial Request sent by EPA (operator survey) 2 - The "all &quot;ex parte&quot; communications (as 5 U.S.C. Section 551 defines that term), including with regard to Superfund Sites in Illinois, Michigan and Tennessee.

Portland Harbor Site File Table of Contents (see attached). Please feel free to contact me McClure Tc

ality tests, reports pertaining to asbestos or any other information regarding asbestos or asbestos abatement directed to directives from representatives of the Trump administration, from January 1, 2017, to February 20, 2020, for the property listed below. If any records are located, we would like to obtain copies or schedule a meeting to discuss the records.

orida. This includes, but is not limited to, emails, documents, maps, studies, reports, memos, binders, notes &quot;The analytical data will be provided to the EPA within 30 days of the RF&P's receipt of

et forth in the order against retaliating against the affected person. The office responsible for the fact fi  
rioration (PSD) permit application required by the Texas Commission on Environmental Quality (TCEC  
ons, please feel free to contact me at alyssa@taylorgeoservices.com or at 610-325-5570. If files can b

d: Cambridge, MA His (b) (6) His SSN was: (b) (6) De

: Sheet July 2002. See attached.

n in accordance with AF and Department of Defense (DoD) policy). Access to Offsite Consequence Ai

how much money has been used for these projects, and the budget total for these projects. If there ar

t limited to compliance with the OMB and NARA released M-12-18, Managing Government Records D

correspondence should include letters, emails, reports, and other relevant material.&nbsp; I am not see

on of I. Schumann's facility located at 22500 Alexander Road, Bedford, Ohio 44146 (the "facility") pursi

Is

, etc., sent to or from Mr. Pruitt, with the exception of any records that are or will be publicly available (

rd Barksdale AFB

ie Mesa Mill in Blanding, UT? Examples: Contractor costs, transportation of the materials, processing c

rd Barksdale AFB

ot;no further action is needed&quot;. The owners have claimed that the property had been eradicated

3 Initial Request sent by EPA (facility survey) 3 - An electronic document listing the owners and operati  
out limitation records relating to the reason why EPA determined that &quot;about&quot; two percent (

osch at tosm@yakamafish-nsn.gov or 509-865-5121 ext. 6413 for any follow up questions and estimat

tement projects performed at the following locations: 707 Foulk Road, Wilmington, DE 19803 (between

le a file review. If no records are available, please contact me to confirm. Thank you for your assistan

powerpoints, spreadsheets, or any other documents relating to, reviewed for, or maintained as part of the results from the laboratory." I would like to request a copy of this report.

nding and administration of EPA order 4711 is the Office of Human Resources.

2) and EPA Region 6, and subsequent Title V Federal Operating Permit. <http://www.trinityconsultants.com> e sent electronically or via mail, that would be greatly appreciated. If a visit to the Region 2 headquarters

ite of Birth: October 4 1906 Date of Death: December 29 2001 I am inquiring as to how you might advise

analysis data is not required.

re any fees for searching or copying these records, please inform me if the cost will exceed \$100. How

directive on August 24, 2012 (all archives and required directives for deletion of any record in the EPA s

king any secondary material such as phone logs, notations of conversation, etc. If any records are with  
uant to the Clean Air Act in In The Matter Of I. Schumann & Co. LLC. It is our understanding that

e.g., through [regulations.gov](http://www.regulations.gov)).

costs at the mill, etc..... Please advise of fees prior to research. Thanks

by removing all contaminated soils and replacing it with good soil. This property is located outside the

ors each of these was sent to (name, country & state based in, country and state operating in), ar  
2%) of Triton RINs generated from March 1, 2012 through March 31, 2015 were not invalid (as eviden

ed time to fulfill our request.

1 1959 and 1980); Pep Boys Auto Parts & Service, 2904 Concord Pike, Wilmington, DE 19803 (br  
ce.

the Florida Phosphate Initiative, the Polk County Health Department, or any investigation, actions, stud

om/news/company/mmex-resources-announces-strategic-relationship-with-trinity-consultants-on-crud  
ers is needed, I would like to be added onto the next possible date for records review. Thanks so much

se us to proceed regarding acquiring Gyorgy Kepes's files. There is some urgency now as the book or

ever, I would also like to request a waiver of all fees in that the disclosure of the requested information

system of records are considered responsive for FOIA and/or Privacy Act responsive records) from May

held or redacted, I request that you state the specific legal and factual grounds for withholding any do  
the EPA's investigation culminated in the issuance of an Administrative Compliance Order (EPA-5-15-

Puget Sound Naval Shipyard

id whether or not they replied, objected, or had not responded 4 - a sample of 2-5 operator survey res;  
ced by the statement in the NOV that "the EPA determined that 38,879,028 of these RINs (abo

etween 1980 and 1986); and CPL Enterprises, Inc./Phil Lavelle's Auto Repair; 2222 Silverside Road, V



lies, or other steps taken relating to the facts of that initiative. This request specifically includes maps a

e-oil-refinery-in-permian-basin

for your time, Alyssa Schell Taylor GeoServices 38 Bishop Hollow Road, Ste 200 Newtown Square, F

his life and work is now in the final stages and this important material leaves a gap that we are very n

is in the public interest and will contribute significantly to the public's understanding of how a FOIA rec

y 1, 2016 to current date of Search (May 30, 2017 or later) – Date Scope. To HELP the EPA recall and

cuments or portions of documents, please identify each document that falls with scope of this request I

113(a)-OH-18) on September 24, 2015, and a Consent Agreement and Final Order (CAA-05-2015-006

ponses 5 - a sample of 2-5 facility survey responses 6 - a sample of 2-5 objections received to the ope  
ut 98% of all of the RINs Triton generated from March 1, 2012 through March 31, 2015) are invalid unc

Wilmington, DE 19810 (between 2007 and the present). Thank you for your assistanc

and other oversized documents that were not previously scanned as part of document productions from

PA 19073 610-325-5570

much hoping to clarify by having access to his files. Kepes did produce some remarkable environment

request is responded to. This information is not being sought for commercial purposes but instead for a s

I produce ALL Privacy Act/FOIA Responsive Records: There is correspondence (email, letters, memos

but is withheld from release. If requested documents are located in another installation or bureau, I req

32) on September 25, 2015 ("the orders"). The EPA website states that information may be obtained b

rator survey responses 7 - a sample of 2-5 objections received to the facility survey responses 8 - the  
der 40 C.F.R. s 80.1431(a)(1)(iv) because the RINs do not represent renewable fuel as defined in s 80

n the EPA. Phone number is 202-558-2030. Please call for additional funding approval.

protection initiatives in the end of the 1960s and beginning of the 1970s when he was a professor of vi

school report on sending out a FOIA request through Old Dominion University. The Virginia Freedom o

s, phone logs, etc.) regarding a Court Subpoena in 2016 the EPA never responded or complied and the

quest that you please refer this request or any relevant portion of this request to the appropriate installa

y submitting a written Freedom of Information Act ("FOIA") request to FOIAonline. Accordingly, to assi

letter mentioned in the Federal Register - the Agency received a letter on March 1, 2017 from nine sta  
.1401.&quot;), including without limitation all &quot;ex parte&quot; communications (as 5 U.S.C. Sectio

sual design and director of the Center for Advanced Visual Studies at the Massachusetts Institute of T

f Information Act requires a response to this request be made within five business days

3 EPA had communication with my EPA FOIAonline (EPA-HQ-2017-5390, EPA-HQ-2016-9708) Of cou

ition or bureau. To the extent that the responsive records are available in electronic fc

st ASIC's defense, we respectfully submit this FOIA request for all documents related to the EPA's inv

te Attorneys General and the Governors of Mississippi and Kentucky, expressing concern with  
on 551 defines that term). Records relating to any inspection by or on behalf of EPA of any facility own

technology. Tha

rse, any other communicatio

estigati

ed or oper



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

AUG 09 2017

OFFICE OF  
GENERAL COUNSEL

Mr. James Chelmowski  
6650 N Northwest Hwy #300  
Chicago, IL 60631

Re: Freedom of Information Act Appeal Nos. EPA-HQ-2017-009508 (Request No. EPA-HQ-2017-008256) and EPA-HQ-2017-009509 (Request No. EPA-HQ-2017-008255)

Dear Mr. Chelmowski:

I am responding to your July 30, 2017 letter to the U.S. Environmental Protection Agency (EPA or Agency) in which you indicated that two Freedom of Information Act (FOIA) appeals were created without your knowledge. EPA opened the two appeals based on your July 18, 2017 letter, which stated that the responses to two FOIA requests, EPA-HQ-2017-008255 and EPA-HQ-2017-008256, were overdue.

However, based on your July 30 letter, you did not intend for your letter to be construed as two administrative FOIA appeals and, as such, EPA has canceled them and they are now closed. You may still appeal any final determination on the two FOIA requests EPA-HQ-2017-008255 and EPA-HQ-2017-008256, up to 90 days after receiving any final determination letter. Please note that any administrative appeals must be received by the EPA within ninety days of the determination letter.

Should you have any questions concerning the two FOIA requests, please contact Wendy Schumacher at [schumacher.wendy@epa.gov](mailto:schumacher.wendy@epa.gov) or 202-566-2513.

Sincerely,

A handwritten signature in dark ink, appearing to read "K Miller".

Kevin M. Miller  
Assistant General Counsel  
General Law Office

cc: Headquarters FOIA Office

**To:** Miller, Kevin[miller.kevin@epa.gov]  
**Cc:** Blake, Wendy[Blake.Wendy@epa.gov]  
**From:** Hammitt, Jennifer  
**Sent:** Fri 8/19/2016 4:09:22 PM  
**Subject:** FW: Chemlowski Subpoena?  
**RE:** Chemlowski v. FCC, No. 16 C 5587 (N.D. Ill.)

FYI -

Jennifer Hammitt  
Attorney-Advisor, Information Law Practice Group  
Office of General Counsel, General Law Office  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW, MC-2377A  
Washington, DC 20460  
(202) 564-5097

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**From:** Cooke, John (USAILN) [mailto:John.Cooke@usdoj.gov]  
**Sent:** Friday, August 19, 2016 10:02 AM  
**To:** Hammitt, Jennifer <Hammitt.Jennifer@epa.gov>  
**Cc:** Miller, Kevin <Miller.Kevin@epa.gov>; Scott Noveck (Scott.Noveck@fcc.gov) <Scott.Noveck@fcc.gov>  
**Subject:** RE: Chemlowski Subpoena?

Jennifer, my email to Chelmowski is attached.

John

**John D. Cooke**  
Assistant U.S. Attorney  
U.S. Attorney's Office  
Northern District of Illinois  
219 South Dearborn St., 5th Floor  
Chicago, IL 60604  
312.353.8788 Direct  
312.886.4073 Fax  
[John.Cooke@usdoj.gov](mailto:John.Cooke@usdoj.gov)

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**From:** Hammitt, Jennifer [mailto:Hammitt.Jennifer@epa.gov]  
**Sent:** Thursday, August 18, 2016 7:31 PM  
**To:** Cooke, John (USAILN)  
**Cc:** Miller, Kevin  
**Subject:** Chemlowski Subpoena?

Hi John – did you send the communication we discussed to Mr. Chemlowski today? If so, may we have a copy? Thanks.

Jennifer Hammitt  
Attorney-Advisor, Information Law Practice Group  
Office of General Counsel, General Law Office  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW, MC-2377A  
Washington, DC 20460  
(202) 564-5097

**To:** jchelmowski@comcast.net[jchelmowski@comcast.net]  
**From:** Cooke, John (USAILN)  
**Sent:** Fri 8/19/2016 2:01:26 PM  
**Subject:** RE: Chelmowski v. FCC, No. 16 C 5587 (N.D. Ill.)

Mr. Chelmowski:

I understand that, in this case, you sent a subpoena requesting documents to another federal agency, the Environmental Protection Agency. It appears that you sent the subpoena before I sent you my email below. If there was any uncertainty, please understand that the FOIA discovery law I cited to you below applies not only to you and the FCC, but also to anyone else, including other federal agencies, other persons, and private entities. If you'd like to discuss this law or other matters, please let me know.

John Cooke

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**From:** Cooke, John (USAILN)  
**Sent:** Monday, August 15, 2016 11:50 AM  
**To:** 'jchelmowski@comcast.net'  
**Subject:** Chelmowski v. FCC, No. 16 C 5587 (N.D. Ill.)

Mr. Chelmowski:

FCC representatives and I offered to speak with you about the above-referenced case on August 12, but you responded to me that you were too busy, and I have asked you when you are available this week to talk with us, but so far you have responded that your schedule is tight. We would be pleased to discuss matters in the case with you, including the FCC's August 4, 2016 letter to you about your FOIA requests—a copy of the letter is attached—and your discovery requests in the lawsuit. If you would like to speak with us, please let me know your availability.

Please understand that discovery in FOIA lawsuits like yours is rare and not permitted, if permitted at all, until after the government has moved for summary judgment. *See, e.g., Schrecker v. United States Dept. of Justice*, 217 F.Supp.2d 29, 35 (D.D.C. 2002) (“Discovery in FOIA is rare and should be denied where an agency’s declarations are reasonably detailed, submitted in good faith and the court is satisfied that no factual dispute remains.”); *Miscavige v. IRS*, 2 F.3d 366, 369 (11th Cir. 1993) (“Generally, FOIA cases should be handled on motions for summary judgment, once the documents in issue are properly identified. The plaintiff’s early attempt in litigation of this kind to obtain a Vaughn Index and to take discovery depositions is inappropriate until the government has first had a chance to provide the court with the information necessary to make a decision on the applicable exemptions.”). After the government has moved for summary judgment, a FOIA plaintiff seeking to justify discovery “must make a showing of bad faith on the part of the agency sufficient to impugn the agency’s affidavits or declarations . . . or provide some tangible evidence that an exemption claimed by the agency should not apply or summary judgment is otherwise inappropriate.” *Carney v. United States Dept. of Justice*, 19 F.3d 807, 812-13 (2d Cir. 1994). In the rare cases where discovery is allowed, it is limited to the scope of an agency’s search, its indexing procedures, and similar factual matters. *See, e.g., Heily v. United States Dept. of Commerce*, 69 Fed. Appx. 171, 174 (4th Cir. 2003) (“When the courts have permitted discovery in FOIA cases, it generally is limited to the scope of the agency’s search and its indexing and classification procedures.”).

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312.886.4073 Fax  
John.Cooke@usdoj.gov





**To:** Rogers, Joshua (USADC)[Joshua.Rogers3@usdoj.gov]  
**From:** Hammitt, Jennifer  
**Sent:** Thur 10/5/2017 2:09:57 PM  
**Subject:** FW: withdrawn 9-25-17.xls  
[withdrawn 9-25-17.xls](#)

This is the spreadsheet of “voluntarily withdrawn” requests. **Attorney Client / Ex. 5** The reason behind the voluntary withdrawal is not immediately available in the system.

Jennifer Hammitt  
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(202) 564-5097

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**From:** Gottesman, Larry  
**Sent:** Monday, September 25, 2017 3:37 PM  
**To:** Hammitt, Jennifer <Hammitt.Jennifer@epa.gov>  
**Subject:** withdrawn 9-25-17.xls

Message

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**From:** Hammitt, Jennifer [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0993DF4A3FDC4CB5B2EE1F017FB76AF1-HAMMITT, JENNIFER]  
**Sent:** 8/18/2016 7:00:33 PM  
**To:** Gottesman, Larry [Gottesman.Larry@epa.gov]  
**CC:** Miller, Kevin [miller.kevin@epa.gov]  
**Subject:** RE: Subpoena

Larry-

**Deliberative Process / Ex. 5**

**Attorney Client / Ex. 5**

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**Subject:** RE: Subpoena

Vanessa,

Can you give me a call to discuss.

Larry F. Gottesman

202-566-2162 (Direct line)  
202-689-4588 (Mobile)

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**Subject:** FW: Subpoena

Hi Larry,

# Attorney Client / Ex. 5 & Ex. 6

Thanks,  
Walt Boswell

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**Sent:** Thursday, August 18, 2016 9:48 AM  
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Here is the subpoena.

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**Sent:** Thursday, August 18, 2016 9:02 AM  
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**Subject:** FW:

Kevin Miller | US EPA | Office of General Counsel | 1200 Pennsylvania Ave., NW | WJC North, Mail Code 2377A | Washington DC 20460 | phone: (202) 564-2691

**From:** [DC-WJCN-74548-M@epa.gov](mailto:DC-WJCN-74548-M@epa.gov) [<mailto:DC-WJCN-74548-M@epa.gov>]  
**Sent:** Thursday, August 18, 2016 9:11 AM  
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**Sent:** 8/18/2016 4:56:04 PM  
**To:** Scott Noveck [Scott.Noveck@fcc.gov]  
**Subject:** RE: Subpoena

**Deliberative Process / Ex. 5**

**Attorney Client / Ex. 5**

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**Sent:** Thursday, August 18, 2016 12:50 PM  
**To:** Hammitt, Jennifer <Hammitt.Jennifer@epa.gov>; Gottesman, Larry <Gottesman.Larry@epa.gov>; Vanessa Lamb <Vanessa.Lamb@fcc.gov>; Walter Boswell <Walter.Boswell@fcc.gov>  
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Hi all – let me step in if I may-

We also received this subpoena here in OGC this morning.

**Deliberative Process / Ex. 5**

# Attorney Client / Ex. 5

Please give me a call with any questions – thanks!

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**Subject:** FW:

Kevin Miller | US EPA | Office of General Counsel | 1200 Pennsylvania Ave., NW | WJC North, Mail Code 2377A | Washington DC 20460 | phone: (202) 564-2691

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